

Missouri Workmen's Compensation Law

EFFECTIVE NOVEMBER 2, 1926



Together with

RULES *and* BULLETINS

of the

MISSOURI WORKMEN'S COMPENSATION
COMMISSION

R. ROBERT COHN
Chairman

FRANK J. LAHEY
Member

EDGAR C. NELSON
Member

HERMAN LUFKY
Secretary

OCTOBER 1, 1943

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MISSOURI WORKMEN'S COMPENSATION LAW

Sec. 3689. Chapter defined.—This chapter shall be known as the workmen's compensation law. (R. S. 1929, § 3299.)

Sec. 3690. Who presumed to be under chapter—exception—presumption re-established—notice effective, when.—Every employer and every employee, except as in this chapter otherwise provided, shall be conclusively presumed to have elected to accept the provisions of this chapter and respectively to furnish and accept compensation as herein provided, unless prior to the accident he shall have filed with the commission a written notice that he elects to reject this chapter. The presumption of election shall be re-established by filing with the commission a written notice withdrawing the rejection. All such notices shall take effect on the day of their receipt by the commission. They shall be sent by mail and the commission shall immediately acknowledge receipt thereof. The notice given by the employee shall take effect upon all employments at which he may then or thereafter be employed until the rejection is withdrawn, and on application the commission shall inform any employer thereof. The commission shall also furnish to each employer rejecting the chapter a notice thereof, which the employer shall keep posted in a conspicuous place on his premises where it can be seen by his employees. (R. S. 1929, § 3300.)

Sec. 3691. Employer liable irrespective of negligence—employee's rights forfeited—self-inflicted injury, effect—15 per cent penalty, when.—If both employer and employee have elected to accept the provisions of this chapter, the employer shall be liable irrespective of negligence, to furnish compensation under the provisions of this chapter for personal injury or death of the employee by accident arising out of and in the course of his employment, and shall be released from all other liability therefor whatsoever, whether to the employee or any other person. The rights and remedies herein granted to an employee, shall exclude all other rights and remedies of such employee, his wife, her husband, parents, personal representatives, dependents, heirs or next kin, at common law or otherwise, on account of such accidental injury or death, except such rights and remedies as are not provided for by this chapter. No compensation shall be allowed under this chapter for the injury or death due to the employee's intentional self-inflicted injury but the burden of proof of intentional self-inflicted injury shall be on the employer or the person contesting the claim for allowance. Where the injury is caused by the failure of the employer to comply with any statute in this state, or any lawful order of the commission, the compensation and death benefit provided for under this chapter shall be increased fifteen per cent. Where the injury is caused by the willful failure of the employee

to use safety devices where provided by the employer, or from the employee's failure to obey any reasonable rule adopted by the employer for the safety of employees, which rule has been kept posted in a conspicuous place on the employer's premises, the compensation and death benefit provided for herein shall be reduced fifteen per cent, *provided* that it is shown that the employee had actual knowledge of said rule so adopted by the employer; *and provided further* that the employer had, prior to the injury, made a diligent effort to cause his employees to use said safety device or devices and to obey or follow said rule so adopted for the safety of said employees. (R. S. 1929, § 3301.)

Sec. 3692. Major and minor employer defined—hazardous occupation—appeals—negligence no defense—exception—exemption obtained and revoked.—(a) A major employer shall mean an employer who has more than ten employees regularly employed.

(b) A minor employer shall mean an employer who has ten or less employees regularly employed.

(c) If any employee of a minor employer files with the commission a written complaint that such employer is engaged in an occupation hazardous to employees, the commission shall issue an order to show cause returnable within ten days thereafter requiring such employer to appear and show cause why he should not be required to accept or reject the provisions of this chapter, or such order may be issued by the commission upon its own motion. Upon hearing the commission shall determine whether or not such employer is engaged in an occupation hazardous to employees and if the commission determines that such employer is engaged in an occupation hazardous to employees, such employer shall be conclusively presumed to have accepted the provisions of this chapter unless he rejects the same within ten days thereafter. The commission may review its decisions with reference to the hazardous nature of such employment, or such decision may be reviewed by the full commission in the same manner that awards of the commission may be reviewed under sections 3730 and 3731 of this chapter, and appeals may be had in the manner provided in section 3732.

(d) If any minor employer, who has been determined to be engaged in an occupation hazardous to employees, or any major employer has elected to reject the provisions of this chapter, in any action to recover damages for personal injury or death of his employee in the course of his employment, it shall not be a defense that the same was caused by the negligence of a fellow servant, or that the employee had assumed the risk of the injury or death, or that the same was caused in any degree by the negligence of the employee. Such defenses shall not be allowed in such action whether or not the employee accepted this chapter, nor shall they be allowed in any proceeding for compensation under this chapter. Such defenses shall be allowed to an employer who has elected to accept this chapter, if the employee has elected to reject it.

(e) Any employer who has accepted the provisions of this chapter may exempt himself from the provisions of the same with

respect to any individual employee whose employment is not hazardous by filing with the commission the written consent of such employee to such exemption. Such consent shall describe the nature of the employment and be signed by the employee and must be approved by the commission: *Provided* that the commission shall not approve of such exemptions unless it deems such employment non-hazardous; *and provided further*, that such employee may at any time thereafter before injury revoke such consent by filing a written revocation thereof with the commission. The commission shall thereupon notify the employer of such revocation. (R. S. 1929, § 3302.)

Sec. 3693. Certain sections not applicable to certain employments—may come within law.—Sections 3690, 3691 and 3692 of this chapter shall not apply to any of the following employments:

First: Employments by the state, county, municipal corporation, township, school or road, drainage, swamp and levee districts, or school board, board of education, regents, curators, managers, or control commission, board or any other political subdivisions, corporation, or quasi-corporation thereof.

Second: Employments of farm labor and domestic servants including family chauffeurs.

Third: Employments which are but casual or not incidental to the operation of the usual business of the employer.

Fourth: Employments in which articles and materials are given out to be made up, cleaned, washed, altered, ornamented, finished, repaired, or adapted for sale in the home of the employee, or on premises not under the control or management of the employer.

Fifth: Employments by minor employers not determined to be engaged in an occupation hazardous to employees. Any employer in this section exempted from the operation of sections 3690, 3691 and 3692 of this chapter may bring himself within the provisions of this chapter by filing with the commission notice of his election to accept the same, and by keeping posted in a conspicuous place on his premises a notice thereof to be furnished by the commission, and any employee entering the services of such employer and any employee remaining in such service thirty days after the posting of such notice shall be conclusively presumed to have elected to accept this chapter unless he shall have filed with the commission and his employer a written notice that he elects to reject this chapter. (R. S. 1929, § 3303.)

Sec. 3694. Employer defined—who included.—The word "employer" as used in this chapter shall be construed to mean:

(a) Every person, partnership, association, corporation, trustee, receiver, the legal representatives of a deceased employer, and every other person, including any person or corporation operating a railroad and any public service corporation, using the service of another for pay.

(b) The state, county, municipal corporation, township, school or road, drainage, swamp and levee districts, or school boards, board of education, regents, curators, managers or control commission, board or any other political subdivision, corporation, or quasi-corporation, or cities under special charter, or under the commission form of government, which elects to accept this chapter by law or ordinance.

(c) Any reference to the employer shall also include his insurer. (R. S. 1929, § 3304.)

Sec. 3695. Certain terms defined.—(a) The word "employee" as used in this chapter shall be construed to mean every person in the service of any employer, as defined in this chapter, under any contract of hire, express or implied, oral or written, or under any appointment or election, but shall not include persons whose average annual earnings exceed three thousand six hundred dollars. Any reference to any employee who has been injured shall when the employee is dead, also include his dependents, and other persons to whom compensation may be payable. The word "employee" shall also include all minors who work for an employer, whether or not such minors are employed in violation of law, and all such minors are hereby made of full age for all purposes under, in connection with, or arising out of this chapter.

(b) The word "accident" as used in this chapter shall, unless a different meaning is clearly indicated by the context, be construed to mean an unexpected or unforeseen event happening suddenly and violently, with or without human fault and producing at the time objective symptoms of an injury. The term "injury" and "personal injuries" shall mean only violence to the physical structure of the body and such disease or infection as naturally results therefrom. The said terms shall in no case except as hereinafter provided be construed to include occupational disease in any form, nor shall they be construed to include any contagious or infectious disease contracted during the course of the employment, nor shall they include death due to natural causes occurring while the workman is at work. "Death" when mentioned as a basis for the right to compensation means only death resulting from such violence and its resultant effects occurring within three hundred weeks after the accident: *Provided*, that nothing in this chapter contained shall be construed to deprive employees of their rights under the laws of this state pertaining to occupational diseases, unless the employer shall file with the commission a written notice that he elects to bring himself with respect to occupational disease within the provisions of this act and by keeping posted in a conspicuous place on his premises a notice thereof to be furnished by the commission, and any employee entering the services of such employer and any employee remaining in such service thirty days after the posting of such notice shall be conclusively presumed to have elected to accept this section unless he shall have filed with the commission and his employer a written notice that he elects to reject this act.

(c) Without otherwise affecting either the meaning or interpretation of the abridged clause, "personal injuries arising out of and in the course of such employment," it is hereby declared not to cover workmen except while engaged in, or about the premises where their duties are being performed, or where their services require their presence as a part of such service.

(d) An employee who is employed by the same employer for more than five and one-half consecutive work days shall for the purpose of this chapter be considered a regular and not a casual employee.

(e) The term "total disability" as used in this chapter shall mean inability to return to any employment and not merely mean inability to return to the employment in which the employee was engaged at the time of the accident. (R. S. 1929, § 3305. Amended, Laws 1931, p. 382.)

Sec. 3696. Legislative intent relative to other laws expressed. Nothing in this chapter shall be construed as amending or repealing any statute or ordinance relating to associations or funds for the relief, pensioning, retirement, or other benefit of firemen, policemen, or other public employees, their widows, children or dependents, or as in any manner interfering with such associations, funds or benefits, now or hereafter established, but any such public employee, his widow, children or dependents, who shall receive compensation under this chapter shall have deducted from any benefit otherwise payable by any pension or other benefit fund to which the municipal corporation or other public employer contributes, a part of such benefit proportionate to the amount then being contributed to such fund by such employer, which deductions shall be made only during the compensation period. Nor shall anything in this chapter be construed as interfering with the right of any public employee to draw full wages, or collect and retain his full fees, so long as he holds his office, appointment or employment, but the period during which the same are received after the injury shall be deducted from the period of compensation payments due hereunder. (R. S. 1929, § 3306.)

Sec. 3697. Employer's liability may be joint and several—contribution allowable.—If the injury or death occurs while the employee is in the joint service of two or more employers, their liability shall be joint and several, and the employee may hold any or all of such employers. As between themselves such employers shall have contribution from each other in the proportion of their several liability for the wages of such employee, but nothing in this chapter shall prevent such employers from making a different distribution of their proportionate contributions as between themselves. (R. S. 1929, § 3307.)

Sec. 3698. Who deemed an "employer"—applicable to "landlord and tenant," "lessor and lessee"—exception, when.—

(a) Any person who has work done under contract on or about his

premises which is an operation of the usual business which he there carries on shall be deemed an employer and shall be liable under this chapter to such contractor, his subcontractors, and their employees, when injured or killed on or about the premises of the employer while doing work which is in the usual course of his business.

(b) The provisions of this section shall apply to the relationship of landlord and tenant, and lessor or lessee, when created for the fraudulent purpose of avoiding liability, but not otherwise. In such cases the landlord or lessor shall be deemed the employer of the employees of the tenant or lessee.

(c) The provisions of this section shall not apply to the owner of premises upon which improvements are being erected, demolished, altered or repaired by an independent contractor but such independent contractor shall be deemed to be the employer of the employees of his subcontractors and their subcontractors when employed on or about the premises where the principal contractor is doing work.

(d) In all cases mentioned in the preceding subsections, the immediate contractor or subcontractor shall be liable as an employer of the employees of his subcontractors. All persons so liable may be made parties to the proceedings on the application of any party. The liability of the immediate employer shall be primary, and that of the others secondary in their order, and any compensation paid by those secondarily liable may be recovered from those primarily liable, with attorney's fees and expenses of the suit. Such recovery may be had on motion in the original proceedings. No such employer shall be liable as in this section provided, if the employee was insured by his immediate or any intermediate employer. (R. S. 1929, § 3308.)

Sec. 3699. Injured employee may hold third person, when—effect.—Where a third person is liable to the employee or to the dependents, for the injury or death, the employer shall be subrogated to the right of the employee or to the dependents against such third person, and the recovery by such employer shall not be limited to the amount payable as compensation to such employee or dependents, but such employer may recover any amount which such employee or his dependents would have been entitled to recover. Any recovery by the employer against such third person, in excess of the compensation paid by the employer, after deducting the expenses of making such recovery shall be paid forthwith to the employee or to the dependents, and shall be treated as an advance payment by the employer, on account of any future installments of compensation. (R. S. 1929, § 3309.)

Sec. 3700. Applicability of chapter—general unless abrogated by federal statute—injuries received within and without the state.

(a) This chapter shall apply to all cases within its provisions except those exclusively covered by any federal law.

(b) This chapter shall apply to all injuries received in this state, regardless of where the contract of employment was made,

and also to all injuries received outside of this state under contract of employment made in this state, unless the contract of employment in any case shall otherwise provide. (R. S. 1929, § 3310.)

Sec. 3701. Employer shall provide medical, surgical, and hospital treatment—exceptions—compensation forfeited, when.—

(a) In addition to all other compensation, the employee shall receive and the employer shall provide such medical, surgical, and hospital treatment, including nursing, ambulance and medicines, as may reasonably be required for the first ninety days after the injury or disability, to cure and relieve from the effects of the injury, not exceeding in amount the sum of seven hundred and fifty dollars, and thereafter such additional similar treatment as the commission by special order may determine to be necessary. If the employee desires, he shall have the right to select his own physician, surgeon, or other such requirement at his own expense. Where such requirements are furnished by a public hospital or other institution, payment therefor shall be made to the proper authorities.

(b) If it be shown to the commission that such requirements are being furnished in such manner that there is reasonable ground for believing that the life, health, or recovery of the employee is endangered thereby, the commission may order a change in the physician, surgeon, hospital or other requirement.

(c) All fees and charges under this section shall be fair and reasonable, shall be subject to regulation by the commission, and shall be limited to such as are fair and reasonable for similar treatment of injured persons of a like standard of living. The commission shall also have jurisdiction to hear and determine all disputes as to such charges.

(d) No compensation shall be payable for the death or disability of an employee, if and in so far as the same may be caused, continued or aggravated by an unreasonable refusal to submit to any medical or surgical treatment or operation, the risk of which is, in the opinion of the commission, inconsiderable in view of the seriousness of the injury. If the employee dies as a result of an operation made necessary by the injury, such death shall be deemed to be caused by the injury.

(e) The testimony of any physician who treated the employee shall be admissible in evidence in any proceedings for compensation under this act.

(f) Every hospital or other person furnishing the employee with medical aid shall permit its record to be copied by and shall furnish full information to the commission, the employer, the employee or his dependents and any other party to any proceedings for compensation under this act, and certified copies of such records shall be admissible in evidence in any such proceedings. (R. S. 1929, § 3311. Reenacted, Laws 1931, p. 381.)

Sec. 3702. Waiting period—compensation—basis for payment.—(a) Except as provided in section 3701, no compensation

shall be payable for the first three days or less of disability unless the disability shall last longer than four weeks.

(b) Compensation shall be payable as the wages were paid prior to the injury, but in any event at least once every two weeks. Each installment shall bear interest at the rate of six per cent per annum from the date when due until paid. Compensation shall be payable on the basis of $66\frac{2}{3}$ per cent of the average earnings of the employee computed in accordance with the rules given in section 3710 of this chapter, but in no case shall the compensation exceed twenty dollars a week.

(c) The employer shall be entitled to credit for wages paid the employee after the injury, and for any sum paid to or for the employee or his dependents on account of the injury except for liability under section 3701. (R. S. 1929, § 3312.)

Sec. 3703. Temporary total disability—amount paid.—For temporary total disability the employer shall pay compensation for not more than four hundred weeks during the continuance of such disability, but not less than six dollars nor more than twenty dollars a week, with full wages if the average earnings amount to less than six dollars a week. (R. S. 1929, § 3313.)

Sec. 3704. Temporary partial disability—amount paid.—For temporary partial disability compensation shall be paid during such disability but not for more than one hundred weeks, and shall be $66\frac{2}{3}$ per cent of the difference between the average earnings prior to the accident and the amount which the employee, in the exercise of reasonable diligence, will be able to earn during the disability, to be determined in view of the nature and extent of the injury and the ability of the employee to compete in an open labor market not to exceed, however, twenty dollars per week. (R. S. 1929, § 3314.)

Sec. 3705. Permanent partial disability—compensation for various injuries—how computed.—(a) For permanent partial disability, in lieu of all other compensation, except that provided under section 3701 of this chapter, the employer shall pay to the employee $66\frac{2}{3}$ per cent of his average earnings as computed in accordance with section 3710, but not less than six dollars nor more than twenty dollars per week, for the periods hereinafter provided:

	Nature of injury	Weeks
1	Loss of major arm at shoulder	232
2	Loss of minor arm at shoulder	212
3	Loss of major arm between shoulder and elbow	222
4	Loss of minor arm between shoulder and elbow	200
5	Loss of major arm at elbow joint	210
6	Loss of minor arm at elbow joint	190
7	Loss of major arm between elbow and wrist	200
8	Loss of minor arm between elbow and wrist	180
9	Loss of major hand at the wrist joint	175
10	Loss of minor hand at the wrist joint	160

	Nature of injury	Weeks
11	Loss of thumb of major hand at proximal joint.....	60
12	Loss of thumb of minor hand at proximal joint.....	55
13	Loss of thumb of major hand at distal joint.....	45
14	Loss of thumb of minor hand at distal joint.....	34
15	Loss of index finger at proximal joint, major hand.....	45
16	Loss of index finger at proximal joint, minor hand.....	40
17	Loss of index finger at second joint, major hand.....	35
18	Loss of index finger at second joint, minor hand.....	30
19	Loss of index finger at distal joint, major hand.....	30
20	Loss of index finger at distal joint, minor hand.....	26
21	Loss of either the middle or ring finger at the proximal joint, major hand.....	35
22	Loss of either the middle or ring finger at the proximal joint, minor hand.....	30
23	Loss of either the middle or ring finger at second joint, major hand.....	30
24	Loss of either the middle or ring finger at second joint, minor hand.....	26
25	Loss of either the middle or ring finger at the distal joint, major hand.....	26
26	Loss of either the middle or ring finger at the distal joint, minor hand.....	24
27	Loss of little finger at proximal joint, major hand.....	22
28	Loss of little finger at proximal joint, minor hand.....	16
29	Loss of little finger at second joint, major hand.....	20
30	Loss of little finger at second joint, minor hand.....	16
31	Loss of little finger at distal joint, major hand.....	16
32	Loss of little finger at distal joint, minor hand.....	13
33	Loss of one leg at the hip joint or so near thereto as to preclude the use of artificial limb.....	207
34	Loss of one leg at or above the knee, where the stump remains sufficient to permit the use of artificial limb..	160
35	Loss of one leg at or above ankle and below knee joint..	155
36	Loss of one foot, in tarsus.....	150
37	Loss of one foot, in metatarsus.....	110
38	Loss of great toe of one foot at proximal joint.....	40
39	Loss of great toe of one foot at distal joint.....	22
40	Loss of any other toe at proximal joint.....	14
41	Loss of any other toe at second joint.....	10
42	Loss of any other toe at distal joint.....	8
43	Complete loss of one eye.....	118
44	Complete loss of the sight of one eye.....	108
45	Complete deafness of both ears.....	168
46	Complete deafness of one ear, the other being normal....	44

For permanent injuries other than those above specified, the said compensation shall be paid for such periods as are proportionate to the relation which the other injury bears to the injuries above specified, but no such period shall exceed four hundred weeks. Such other injuries shall include permanent injuries causing a loss

of earning power. The total, permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe or phalange shall be considered as the equivalent of the loss by separation, of the arm, hand, thumb, finger, leg, foot, toe or phalange and compensation shall be paid for the same period as for the loss thereof by separation. For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe or phalange compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe or phalange. If an employee be seriously mutilated or permanently disfigured about the face or head, the commission may allow such additional sum for the compensation on account thereof, as it may deem just, based upon the handicap suffered by the injured employee in obtaining employment, but such sum shall not exceed \$1,000.00.

(b) In all claims for compensation for hernia resulting from injury arising out of and in the course of the employment, it must be definitely proved to the satisfaction of the commission: First, that there was an accident resulting in hernia; second, that the hernia appeared suddenly, accompanied by intense pain; third, that the hernia immediately followed the accident; fourth, that the hernia did not exist in any degree prior to the accident resulting in the injury for which compensation is claimed. (R. S. 1929, § 3315.)

Sec. 3706. Permanent total disability conclusively presumed—basis for payment.—(a) For permanent total disability compensation shall be paid on the basis of $66\frac{2}{3}$ per cent of the average annual earnings during three hundred (300) weeks, and thereafter on the basis of 25 per cent of the average annual earnings, for life, but not less than six dollars nor more than twenty dollars a week.

(b) When caused by the accident the loss of both eyes or the sight thereof, the loss of both hands or the use thereof, an injury resulting in practically total and permanent paralysis or an injury resulting in incurable imbecility or insanity, shall be conclusively presumed to be permanent total disabilities, and in all other cases permanent total disability shall be determined in accordance with the facts. (R. S. 1929, § 3316.)

Sec. 3707. Consecutive injuries, compensation, how computed.—(a) All cases of permanent disability where there has been a previous disability shall be compensated as herein provided. Compensation shall be computed on the basis of the average annual earnings at the time of the last injury. If the condition resulting from the last injury is a permanent partial disability, there shall be deducted from the resulting condition the previous disability as it exists at the time of the last injury, and the compensation shall be paid for the difference. If the previous disability and the last injury together result in total and permanent disability, the employer at the time of the last injury shall be liable only for the last injury considered alone and of itself; *provided*, that if the compensation for which the employer at the time of last injury is liable, as

herein provided, is less than the compensation provided in this act for permanent total disability then in addition to the compensation for which such employer is liable and after the completion of payment of such compensation by such employer, the employee shall be paid the remainder of the compensation that would be due for permanent total disability under Section 3706 (a) of this chapter out of a special fund known as the Second Injury Fund created for such purpose in the following manner:

Every employer shall pay into the Second Injury Fund hereby created for every fatal injury by accident, on account of which death benefits would be payable under this act, but sustained by an employee having no dependents as defined by Section 3709 of this chapter a lump sum of \$500, which shall be in addition to the amounts provided for burial and the expenses of the employee's last illness. Every employer in every case of total, permanent loss of the use of, one eye, one foot, one leg, one arm, or one hand, in addition to the compensation as provided for in this act shall pay into the Second Injury Fund provided for herein, the sum of one hundred dollars for the total or permanent loss of the use of any such member; *provided, however*, that the payments herein fixed at one hundred dollars may on and after the date when payments in such amount become effective, be suspended or reduced as herein provided, but in no event shall such payments be increased to exceed one hundred dollars. Such payments shall be placed in a fund to be known as the Second Injury Fund, which fund is hereby appropriated by the Legislature, in accordance with law, exclusively for the payment of compensation as provided herein. The State Treasurer shall be the custodian of the Second Injury Fund and said fund shall be deposited the same as are state funds and any interest accruing thereon shall be added thereto. Said fund shall be subject to audit the same as state funds and accounts and shall be protected by the general bond given by the State Treasurer.

The Missouri Workmen's Compensation Commission shall direct the distribution of said Second Injury Fund in the manner and amounts provided for in this chapter for the payment of compensation.

Each January 1st and July 1st, after the effective date of this Act, the Commission shall determine the expenditures to be made from the said Second Injury Fund for the ensuing six months. If, upon such determination made by the Commission there shall be found to be in excess of fifty thousand dollars or more in the said special fund over and above the expenditures to be made therefrom during the ensuing six months, the Commission shall by order posted in its offices, suspend the payments as herein provided or reduce the amount payable to a sum sufficient to maintain such fifty thousand dollars excess, and such suspension of or change in payments shall be effective with respect to accidental injuries or deaths occurring on or after the date of such order, and for such period as the Commission shall determine.

In event a payment on account of death is or has been made by an employer under the provisions of this section into the Second Injury Fund, and dependence in any degree as in this chapter provided is later proved, the State Treasurer is hereby authorized and directed to refund such deposit upon certification of the Missouri Workmen's Compensation of the establishment of such dependency.

The Missouri Workmen's Compensation Commission shall notify the Attorney General of all cases of the total, permanent loss of use of, one eye, one foot, one leg, one arm, or one hand and of all cases of fatal accident in which the employee shall leave surviving no person or persons conclusively presumed to be dependent as in this act provided, which are reported to the Commission, or which shall come to the knowledge of the Commission. Within the limitation period for the filing of claims as provided in this act, the Attorney General may file a claim before the Missouri Workmen's Compensation Commission in the name of the State Treasurer as custodian of said Second Injury Fund, and against the employer, to recover the payment required by this section or for said purpose may enter the appearance of the State Treasurer in any pending claim within said time; *provided*, that if the Commission or any party to any claim pending before the Commission shall notify the Attorney General that a question of dependency is involved, and the Attorney General shall fail to enter the appearance of the State Treasurer therein within ten days after being so notified, any award thereafter entered in said claim, or order approving a settlement thereof, shall constitute a bar to any claim in behalf of said Second Injury Fund arising out of said death.

In all cases in which a recovery against said Second Injury Fund is sought, the State Treasurer as custodian thereof shall be named as a party, and shall be entitled to defend against said claim. All awards affecting said Funds and deposits therein shall be subject to the provisions of this chapter governing review and appeal.

(b) If more than one injury in the same employment causes concurrent temporary disabilities, compensation shall be payable only for the longest and largest paying disability.

(c) If more than one injury in the same employment causes concurrent and consecutive permanent partial disability, compensation payments for each subsequent disability shall not begin until the end of the compensation period of the prior disability.

(d) All payments made into the Second Injury Fund shall, for rate making purposes, be considered the payment of compensation. (Amended, Laws of Missouri, 1943, Effective July 7, 1943.)

Sec. 3708. Death—injuries resulting in—liability of employer—exceptions.—The death of the injured employee shall not affect the liability of the employer to furnish compensation as in this chapter provided, so far as such liability has accrued and become payable at the time of the death, and any accrued and unpaid compensation due the employee shall be paid to his dependents without administration, or if there be no dependents, to his per-

sonal representative or other persons entitled thereto, but such death shall be deemed to be the termination of the disability. Where an employee is entitled to compensation under this chapter for an injury received and death ensues for any cause not resulting from the injury for which he was entitled to compensation, payments of the unpaid unaccrued balance for such injury shall cease and all liability therefor shall terminate unless there be surviving dependents at the time of such death. (R. S. 1929, § 3318.)

Sec. 3709. Death, either with or without disability compensation, how distributed—dependents defined—re-marriage or death of widow—effect.—If the injury causes death, either with or without disability, the compensation therefor shall be as provided in this section.

(a) In all cases the employer shall pay direct to the persons furnishing the same the reasonable expense of the burial of the deceased employee not exceeding one hundred and fifty dollars, and, if not covered by the provisions of section 3701, the reasonable expense of his last sickness not exceeding two hundred and fifty dollars. But no person shall be entitled to compensation for the burial expenses of a deceased employee unless he shall have furnished the same by authority of the widow or widower, the nearest relative of the deceased employee in the county of his death, his personal representative, or the employer, who shall have the right to give such authority in the order named. All fees and charges under this section shall be fair and reasonable, shall be subject to regulation by the commission and shall be limited to such as are fair and reasonable for similar service to persons of a like standard of living. The commission shall also have jurisdiction to hear and determine all disputes as to such charges. If the deceased employee leaves no dependents the death benefit in this subsection provided shall be the limit of the liability of the employer under this chapter on account of such death, except as provided in Section 3707 of this chapter. *Provided*, that in all cases when the employer admits or does not deny liability for such burial expense same shall be paid within 30 days after written notice that such service has been rendered shall have been delivered to such employer. Such notice may be sent by registered mail, return receipt requested, or may be made by personal delivery.

(b) The employer shall also pay to the total dependents of the employee a single total death benefit, the amount of which shall be determined in the following manner to-wit: There shall first be determined as a basis for computation 66 2-3 per cent of the employee's average weekly earnings during the year immediately preceding the injury as provided in section 3710 and such amount shall then be multiplied by three hundred and the amount so determined shall be the amount of such death benefit. The death benefit provided for shall be payable in installments in the same manner that compensation is required to be paid under this chapter, but in no case less than at the rate of six dollars per week

nor more than twenty dollars per week. There shall, however, be deducted from such death benefit any compensation which may have been paid to the employee during his lifetime for the injury resulting in his death. If there be a total dependent or total dependents as the case may be, no death benefit shall be payable to partial dependents, or any other persons except as provided in paragraph (a) of this section.

(c) If there be partial dependents, and no total dependents, a part of the death benefit herein provided in the case of total dependents, determined by the proportion of his contributions to all partial dependents by the employee at the time of the injury, shall be paid by the employer to each of such dependents proportionately.

(d) The word "dependent" as used in this chapter shall be construed to mean a relative by blood or marriage of a deceased employee, who is actually dependent for support, in whole or in part, upon his wages at the time of the injury. The following persons shall be conclusively presumed to be totally dependent for support upon a deceased employee and any death benefit shall be be payable to them, to the exclusion of other total dependents:

1. A wife upon a husband legally liable for her support, and a husband mentally or physically incapacitated from wage earning upon a wife. *Provided*, that on the death or remarriage of a widow, the death benefit shall cease unless there be other total dependents entitled to any unpaid remainder of such death benefit under this chapter.

2. A natural, posthumous, or adopted child or children, whether legitimate or illegitimate, under the age of eighteen years, or over that age if physically or mentally incapacitated from wage earning, upon the parent legally liable for such support or with whom he is living at the time of the death of such parent. In case there is a wife or a husband mentally or physically incapacitated from wage earning, dependent upon a wife, and a child or more than one child thus dependent, the death benefit shall be divided among them in such proportion as may be determined by the commission after considering their ages and other facts bearing on such dependency. In all other cases questions of total or partial dependency shall be determined in accordance with the facts at the time of the injury, and in such other cases, if there is more than one person wholly dependent the death benefit shall be divided equally among them.

3. The commission, any member thereof or a referee may, in its or his discretion, order or award the share of compensation of any such child or children to be paid to the parent, grandparent, or other adult next of kin or legal guardian of such child or children for the latter's support, maintenance and education, which order or award upon notice to the parties may be modified from time to time by the commission in its discretion with respect to the person to whom shall be paid the amount of said order or award remaining unpaid at the time of said modification.

4. The payments of compensation by the employer in accordance with the order or award of the commission shall discharge such employer from all further obligation as to such compensation.

(e) All death benefits provided for in this chapter shall be paid in installments in the same manner as provided for disability compensation.

(f) Every employer shall keep a record of the correct names and addresses of the dependents of each of his employees, and upon the death of an employee by accident arising out of and in the course of his employment, shall so far as possible immediately furnish the commission with said names and addresses. (Amended, Laws of Missouri, 1943, Effective November 21, 1943.)

Sec. 3710. Compensation computed—minors entitled to fifty per cent additional, when.—The basis for computing the compensation provided for in this chapter shall be as follows:

(a) The compensation shall be computed on the basis of the annual earnings which the injured person received as salary, wages, or earnings if in the employment of the same employer continuously during the year next preceding the injury.

(b) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the employee was employed at the time of the accident uninterrupted by absence from work due to illness or any other unavoidable cause.

(c) If the injured person has not been engaged in the employment of the same employer for the full year immediately preceding the accident, the compensation shall be computed according to the annual earnings which persons of the same class in the same employment and same location (or if that be impracticable, of neighboring employments of the same kind) have earned during such period.

(d) As to employees in employments in which it is the custom to operate throughout the working days of the year, the annual earnings, if not otherwise determinable, shall be regarded as 300 times the average daily earnings in such computation.

(e) As to employees in employments in which it is the custom to operate for a part of the whole number of working days in each year, such number, if the annual earnings are not otherwise determinable, shall be used instead of 300 as a basis for computing the annual earnings: *Provided*, the minimum number of days which shall be so used for the basis of the year's work shall be not less than 200.

(f) In the case of injured employees who earn either no wage or less than the earnings of adult day laborers in the line of employment in that locality, the yearly wage shall be reckoned according to the average annual earnings of adults of the same class in the same (or if that is impracticable, then of neighboring) employments.

(g) In computing the annual earnings there shall be included the reasonable value of board, rent, housing, lodging and fuel received from the employer as a part of the remuneration of the employee and which can be estimated in money, and the value of gratuities customarily received by consent of the employer, in the usual course of business from persons other than the employer, but there shall not be included the wages of helpers or any sums which the employer paid to the employee to cover any special expenses entailed on him by the nature of the employment.

(h) In computing the compensation to be paid to any employee, who, before the accident for which he claims compensation, was disabled and drawing compensation under the terms of this chapter, the compensation for each subsequent injury shall be apportioned according to the proportion of incapacity and disability caused by the respective injuries which he may have suffered.

(i) To determine the amount of compensation for each installment period, the amount per annum shall be ascertained pursuant hereto, and such amount divided by the number of installment periods per annum.

(j) In computing the compensation to be paid to any minor, the increased earning power of such minor until he attains the age of twenty-one years shall be taken into consideration and in all cases in which it is found by the commission that the employer knowingly employed a minor in violation of the child labor law of this state, fifty per cent additional compensation shall be allowed. (R. S. 1929, § 3320.)

Sec. 3711. Compensation to have priority—not assignable, except when.—The compensation payable under this chapter, whether or not it has been awarded or is due, shall not be assignable, shall be exempt from attachment, garnishment, and execution, shall not be subject to set-off or counter-claim, or be in any way liable for any debt and in case of the insolvency of an employer or his insurer, or the levy of an attachment or an execution against an employer or insurer shall be entitled to the same preference and priority as claims for wages, without limit as to time or amount, save that if written notice is given to the commission of the nature and extent thereof, the commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if such services are found to be necessary and may order the amount thereof paid to the attorney in a lump sum or in installments. All attorney's fees for services in connection with this chapter shall be subject to regulation by the commission and shall be limited to such charges as are fair and reasonable and the commission shall have jurisdiction to hear and determine all disputes concerning the same. (R. S. 1929, § 3321.)

Sec. 3712. Benefits from other sources no bar for compensation.—No savings or insurance of the injured employee, nor any benefit derived from any other source than the employer or the

employer's insurer for liability under this chapter, shall be considered in determining the compensation due hereunder. (R. S. 1929, § 3322.)

Sec. 3713. Employer must carry insurance—failure, compensation commuted—exception.—Every employer electing to accept the provisions of this chapter, shall insure his entire liability thereunder except as hereafter provided, with some insurance carrier authorized to insure such liability in this state, except that an employer may himself carry the whole or any part of such liability without insurance upon satisfying the commission of his ability so to do. If the employer fails to comply with this section, an injured employee or his dependents may elect after the injury to recover from the employer as though he had rejected this chapter, or to recover under this chapter with the compensation payments commuted and immediately payable. If the employer be carrying his own insurance, on the application of any person entitled to compensation and one proof of default in the payment of any installment, the commission shall require the employer to furnish security for the payment of the compensation, and if not given, all other compensation shall be commuted and become immediately payable: *Provided*, that employers engaged in the mining business shall be required to insure only their liability hereunder to the extent of the equivalent of the maximum liability under this chapter for ten deaths in any one accident, but such employer may carry his own risk for any excess liability. (R. S. 1929, § 3323.)

Sec. 3714. Employee not to pay cost of insurance.—No part of the cost of such insurance shall be assessed against, collected from or paid by any employee. (R. S. 1929, § 3324.)

Sec. 3715. Employer's liability primary or secondary—notice and service when sufficient.—If the employer be not insured his liability hereunder shall be primary and direct. If he is insured his liability shall be secondary and indirect, and his insurer shall be primarily and directly liable hereunder to the injured employee, his dependents or other persons entitled to rights hereunder. On the request of the commission and at every hearing the employer shall produce and furnish it with a copy of his policy of insurance, and on demand the employer shall furnish the injured employee, or his dependents, with the correct name and address of his insurer, and his failure to do so shall be *prima facie* evidence of his failure to insure, but such presumption shall be conclusively rebutted by an entry of appearance of his insurer. Both the employer and his insurer shall be parties to all agreements or awards of compensation, but the same shall not be enforceable against the employer, except on motion and proof of default by the insurer. Service on the employer shall be sufficient to give the commission jurisdiction over the person of both the employer and his insurer, and the appearance of the employer in any proceeding shall also constitute appearance of his insurer, provided that after

appearance by an insurer, such insurer shall be entitled to notice of all proceedings hereunder. (R. S. 1929, § 3325.)

Sec. 3716. Policies must conform to law and approval of insurance department—default of employer, insurer liable.—Every policy of insurance against liability under this chapter shall be in accordance with the provisions of this chapter and shall be in a form approved by the superintendent of the insurance department. Such policy shall contain an agreement that the insurer accepts all of the provisions of this chapter, that the same may be enforced by any person entitled to any rights under this chapter as well as by the employer, that the insurer shall be a party to all agreements or proceedings under this chapter, and his appearance may be entered therein and jurisdiction over his person may be obtained as in this chapter provided, and such covenants shall be enforceable notwithstanding any default of the employer. (R. S. 1929, § 3326.)

Sec. 3717. Schedule of rates and classification of risks to be filed—duty of superintendent of insurance.—All charges for insurance against liability under this chapter and against the liability of employers rejecting this chapter, shall be fair, reasonable and adequate with due allowances for merit rating. Every insurance carrier or group of carriers authorized to insure against liability under this chapter, shall within thirty days after this section becomes effective, file with the superintendent of the insurance department its classification of risks and premium rates relating thereto with its system of schedule rating (or merit rating so-called), if any. The superintendent then shall hold a hearing to determine upon a uniform classification of risks and premium rates relating thereto, and in his discretion a uniform system of schedule rating (or merit rating so-called). Within sixty days after this section becomes effective the superintendent shall approve or issue as fair, reasonable and adequate for all insurance carriers or groups of carriers, authorized by law to transact liability or compensation insurance business in this state, a uniform classification of risks and premium rates relating thereto, and may in his discretion approve or issue a system of schedule rating (or merit rating so-called) which shall be a uniform system of schedule rating (or merit rating so-called) for all such insurance carriers. The superintendent may subsequently approve or issue a uniform system of schedule rating (or merit rating so-called) for all insurance carriers, or may modify or change any such system previously approved or issued after holding a hearing to determine its effect upon the fairness, reasonableness, adequacy or unfairness, unreasonableness or inadequacy of rates and may approve or issue additional uniform rates and classifications or uniform changes in rates or classifications after holding a hearing to determine upon the fairness, reasonableness, adequacy or unfairness, unreasonableness or inadequacy of such additions or changes. No insurance carrier or group of carriers shall issue, renew or carry insurance for employers or employees as provided in this section at premium rates which are less than

the rates approved or issued by the superintendent for all insurance carriers or groups of carriers as fair, reasonable and adequate for the risk to which they respectively apply; *provided, however*, that if the superintendent shall have previously approved or issued a uniform system of schedule rating (or merit rating so-called) insurance carriers may apply the same to any risks subject thereto, but basic rates no less than the rates previously approved or issued by the superintendent, and any additions thereto or reductions therefrom on account of the application of such system of schedule rating (or merit rating so-called) shall be clearly set forth in the insurance contracts of endorsements attached thereto; *and provided, however*, that nothing contained in this section shall affect the right of any insurance carrier or carriers to issue participating policies or to pay savings or dividends actually earned or saved; *and provided further*, that the provisions of this section as to rates and classifications shall not apply to employers who provide among themselves insurance or indemnity against liability under this chapter, on the reciprocal, inter-insurance or mutual plan, except that the classification shall be approved by the superintendent of insurance and that the rates for such insurance or indemnity shall not be less than the rates approved by the superintendent of insurance as sufficient to provide for the payment of the compensation provided by this chapter. (R. S. 1929, § 3327.)

Sec. 3718. Insurance companies must keep reserve.—No insurance carrier shall write any insurance against liability hereunder unless it maintains such reserves as are required by law, or in the absence thereof such reserves as may be required by the superintendent of the insurance department, the power to require and regulate which is hereby vested in said superintendent. (R. S. 1929, § 3328.)

Sec. 3719. Insurance companies to make report.—Every insurance carrier writing insurance for liability hereunder, or the liability of employers rejecting this chapter, shall report to the superintendent of the insurance department, in accordance with such rules as he may adopt, such information as he may at any time require for the purpose of determining the solvency of carrier or the fairness, reasonableness and adequacy of its rates, and for such purposes the superintendent may inspect the books and records of such carriers and examine its officers, agents and servants under oath. (R. S. 1929, § 3329.)

Sec. 3720. Superintendent of insurance may suspend or revoke permits and ask for a receiver.—For any violation of the provisions of this chapter the superintendent of the insurance department may suspend or revoke the authority of any insurance carrier to do business in this state. If any insurance carrier fails or delays to pay any compensation finally determined to be due, the superintendent shall hear the complaint, and if such failure is without reasonable excuse he may revoke or suspend the authority

of such carrier to do business in this state, and in a proper case may apply for the appointment of a receiver for such carrier. (R. S. 1929, § 3330.)

Sec. 3721. Compensation in lieu of insurance—how provided.—Any employer or group of employers may enter into or continue any agreement with his or their employees to provide a system of compensation benefits or insurance in lieu of the compensation and insurance provided by this chapter. Such substitute system and insurance shall be subject to the approval of the superintendent of the insurance department and shall not be approved by him unless they confer benefits upon injured employees or their dependents at least equivalent to the benefits provided by this chapter, nor if they require contributions from employees, unless they confer benefits in addition to those provided under this chapter at least commensurate with such contribution. Appeals shall lie to the commission from any decision, award or order made by or under such substitute system. Such substitute system and insurance may be terminated by the superintendent of the insurance department on reasonable notice and hearing to the interested parties, if it shall appear that the same is not fairly administered, or if its operation shall disclose latent defects threatening its solvency or if for any other substantial reason it fails to accomplish the purposes of this chapter; and in this case the superintendent of the insurance department shall determine upon the proper distribution of all remaining assets, if any, subject to the right of any party in interest to have such action reviewed by a court of competent jurisdiction. (R. S. 1929, § 3331.)

Sec. 3722. Employer to make reports to commission—failure—penalty.—Every employer in this state, whether he has accepted or rejected the provisions of this chapter, shall within ten days after knowledge of an accident resulting in personal injury to an employee, notify the commission thereof, and shall, within one month, file with the commission under such rules and regulations and in such form and detail as the commission may require, a full and complete report of every injury or death to any employee for which the employer would be liable to furnish medical aid or compensation hereunder had he accepted this chapter, and every such employer shall also furnish the commission with such supplemental reports in regard thereto as the commission shall require. Every such employer and his insurer, and every injured employee, his dependents and every person entitled to any rights hereunder, and every other person, receiving from the commission any blank reports with direction to fill out the same shall cause the same to be promptly returned to the commission properly filled out and signed so as to answer fully and correctly to the best of his knowledge each question propounded therein and a good and sufficient reason shall be given for failure to answer any question. No information obtained under the provisions of this section shall be disclosed to persons other than the parties to compensation proceedings and their attorneys, save by order of the commission,

or at a hearing of compensation proceeding, but such information may be used by the commission for statistical purposes. Every person who violates any of the provisions of this section, or who knowingly makes a false report or statement in writing to the commission, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment. (R. S. 1929, § 3332.)

Sec. 3723. Compromise settlements—how made—when valid.—Nothing in this chapter shall be construed as preventing the parties to claims hereunder from entering into voluntary agreements in settlement thereof, but no agreement by an employee or his dependents to waive his rights under this chapter shall be valid, nor shall any agreement of settlement or compromise of any dispute or claim for compensation under this chapter be valid until approved by the commission, nor shall the commission approve any settlement which is not in accordance with the rights of the parties as given in this chapter. No such agreement shall be valid unless made after seven days from the date of the injury or death. (R. S. 1929, § 3333.)

Sec. 3724. Accident—duty of commission upon receipt of notice.—Upon receipt of notice of any accident the commission shall forward to the employer and to the employee or his dependents a form of agreement to pay and accept compensation, providing for payment of compensation in accordance with the provisions of this chapter, which agreement shall be promptly executed by both parties and returned to the commission, and if in any case the employer disputes the claim for compensation and for that reason refuses to execute the agreement to pay compensation, the commission shall assist the person who claims to be entitled thereto, in filing his claim and securing an early adjudication thereof; and where such agreements to pay and receive compensation are executed and filed it shall be the duty of the commission, in case payments thereunder are not promptly made, to provide prompt measures for the payment of such compensation and for hearing disputes with reference thereto. If the parties agree, they shall file with the commission a report of the facts and their agreement, and if the agreement is approved by the commission it shall make an award of compensation thereon in accordance therewith. (R. S. 1929, § 3334.)

Sec. 3725. Misdemeanor for discriminating—who guilty.—Every employer, his director, officer or agent, who discharges or in any way discriminates against an employee for exercising any of his rights under this chapter, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment. (R. S. 1929, § 3335.)

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Sec. 3726. Injured party must notify employer within thirty days—exception.—No proceedings for compensation under this chapter shall be maintained unless written notice of the time, place and nature of the injury, and the name and address of the person injured, shall have been given to the employer as soon as practicable after the happening thereof but not later than thirty days after the accident, unless the commission shall find that there was good cause for failure to give such notice, or that the employer was not prejudiced by failure to receive such notice. No defect or inaccuracy in such notice shall invalidate the same unless the commission shall find that the employer was in fact misled and prejudiced thereby. (R. S. 1929, § 3336.)

Sec. 3727. Limitation as to action.—No proceedings for compensation under this chapter shall be maintained unless a claim therefor be filed with the commission within one year after the injury or death, or in case payments have been made on account of the injury or death, within one year from the date of the last payment. In all other respects such limitations shall be governed by the law of civil actions other than for the recovery of real property, but the appointment of a guardian shall be deemed the termination of legal disability from minority or insanity.

(a) Where recovery is denied to any person in a suit brought at law or in admiralty to recover damages in respect of bodily injury or death on the ground that such person was an employee and the defendant was an employer subject to and within the meaning of this Chapter, or when recovery is denied to any person in an action brought under the provisions of a workmen's compensation act of any other state or jurisdiction on the ground that such person was an employee under and subject to the provisions of this Chapter, the limitation of time prescribed in Section 3727 shall begin to run only from the date of termination or abandonment of such suit or compensation proceeding, when such suit or compensation proceedings is filed within six months after the injury or death complained of. (R. S. 1929, § 3337. Amended, Laws 1941, p. 718.)

Sec. 3728. Settlement—failure to agree, commission to hold hearings.—If the employer and the injured employee or his dependents fail to reach an agreement in regard to compensation under this chapter, or if they have reached such an agreement which has been signed and filed with the commission and compensation has been paid or is due in accordance therewith, and the parties thereto then disagree as to the continuance of any weekly payment under such agreement, either party may make an application to the commission for a hearing in regard to the matters at issue and for a ruling thereon. Immediately after such application has been received the commission shall set the date for a hearing, which shall be held as soon as practicable, and shall notify the parties at issue of the time and place of such hearing. (R. S. 1929, § 3338.)

Sec. 3729. Commission's hearings—findings sent by registered mail.—The commission or any of its members shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the dispute. All evidence introduced at any such hearings shall be reported by a competent stenographer appointed by the commission. The award, together with a statement of the findings of fact, rulings of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by registered United States mail to the parties in dispute and the employer's insurer. (R. S. 1929, § 3339.)

Sec. 3730. Commission may review and change award.—Upon its own motion or upon the application of any party in interest on the ground of a change in condition, the commission may at any time upon a rehearing after due notice to the parties interested review any award and on such review may make an award ending, diminishing or increasing the compensation previously awarded, subject to the maximum or minimum provided in this chapter, and shall immediately send to the parties and the employer's insurer a copy of the award. No such review shall affect such award as regards any moneys paid. (R. S. 1929, § 3340.)

Sec. 3731. Application for review—commission shall act.—If an application for review is made to the commission within ten days from the date of the award, the full commission, if the first hearing was not held before the full commission, shall review the evidence, or, if deemed advisable, as soon as practicable hear the parties at issue, their representatives and witnesses and shall make an award and file same in like manner as specified in the foregoing section. (R. S. 1929, § 3341.)

Sec. 3732. Final award conclusive unless an appeal is taken—grounds for setting aside.—The final award the of commission shall be conclusive and binding unless either party to the dispute shall within thirty days from the date of the final award appeal to the circuit court of the county in which the accident occurred, or if the accident occurred outside of this state, then in the county where the contract of employment was made. Such appeal may be taken by filing notice of appeal with the commission, whereupon the commission shall under its certificate return to the court all documents and papers on file in the matter, together with a transcript of the evidence, the findings and award, which shall thereupon become the record of the cause. Upon appeal no additional evidence shall be heard and in the absence of fraud, the findings of fact made by the commission within its powers shall be conclusive and binding. The court, on appeal, shall review only questions of law and may modify, reverse, remand for rehearing, or set aside the award upon any of the following grounds and no other:

1. That the commission acted without or in excess of its powers,

2. That the award was procured by fraud.
3. That the facts found by the commission do not support the award.
4. That there was not sufficient competent evidence in the record to warrant the making of the award.

Appeal from the circuit court shall be allowed the same as in civil actions and all appeals to the circuit and appellate courts shall have precedence over all other cases except election contests. In all appeals from the commission or circuit court the costs thereof shall be assessed against the losing party as provided by law in civil cases. (R. S. 1929, § 3342.)

Sec. 3733. Circuit court may act upon memorandum—procedure.—Any party in interest may file in the circuit court of the county in which the accident occurred, a certified copy of a memorandum of agreement approved by the commission or of an order or decision of the commission, or of an award of the commission unappealed from, whereupon said court shall render judgment in accordance therewith and notify the parties. Such judgment shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though said judgment were a final judgment which had been rendered in a suit duly heard and determined by said court. Any such judgment of said circuit court unappealed from or affirmed on appeal or modified in obedience to the mandate of the appellate court, whenever modified on account of a changed condition under section 3730, shall be modified to conform to any decision of the commission, ending, diminishing or increasing any weekly payment under the provisions of section 3730 of this chapter upon the presentation to it of a certified copy of such decision. (R. S. 1929, § 3343.)

Sec. 3734. Temporary or partial awards may be made.—In any case a temporary or partial award of compensation may be made, and the same may be modified from time to time to meet the needs of the case, and the same may be kept open until a final award can be made, and if the same be not complied with, the amount thereof may be doubled in the final award, if the final award shall be in accordance with the temporary or partial award. (R. S. 1929, § 3344.)

Sec. 3735. Notice—manner of serving.—Any notice required under this chapter shall be deemed to have been properly given and served when sent by registered mail properly stamped and addressed to the person to whom given, at his last known address, in time to reach him in due time to act thereon. Notice may also be given and served in like manner as summons in civil actions. (R. S. 1929, § 3345.)

Sec. 3736. Commission may commute compensation, when—how.—The compensation herein provided may be commuted by said commission and redeemed by the payment in whole or in part, by the employer, of a lump sum which shall be fixed by the commission, which sum shall be equal to the commutable value

of the future installments which may be due under this chapter, taking account of life contingencies, such payment to be commuted at its present value upon the basis of interest calculated at four per centum with annual rests, upon application of either party, with due notice to the other, if it appears that such commutation will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, or that such employee or dependent has removed or is about to remove from the United States, or that the employer has sold or otherwise disposed of the greater part of his business or assets. In determining whether the commutation asked for will be for the best interest of the employee or the dependents of the deceased employee, or so that it will avoid undue expense or undue hardship to either party, the commission will constantly bear in mind that it is the intention of this chapter that the compensation payments are in lieu of wages and are to be received by the injured employee or his dependents in the same manner in which wages are ordinarily paid. Therefore, commutation is a departure from the normal method of payment and is to be allowed only when it clearly appears that some unusual circumstances warrant such a departure. (R. S. 1929, § 3346.)

Sec. 3737. Compensation commuted—funds, how paid out.—

On notice to the other parties the commission or court may permit the employer to be discharged from further liability under any agreement, award or judgment for compensation, by furnishing to the person entitled thereto an annuity or other obligation, approved by the commission or court, by which payment is assumed by some responsible person, or by depositing the commutable value thereof with the commission to be disbursed to the persons entitled thereto in such manner as the commission shall determine. (R. S. 1929, § 3347.)

Sec. 3738. Person receiving compensation must submit to physical examination from time to time.—(a) After an employee has received an injury he shall from time to time thereafter during disability submit to reasonable medical examination at the request of the employer, his insurer, the commission or any of its commissioners, the time and place of which shall be fixed with due regard to the convenience of the employee and his physical condition and ability to attend. The employee may have his own physician present, and if the employee refuses to submit to such examination, or in any way obstructs the same, his right to compensation shall be forfeited during such period, unless in the opinion of the commission the circumstances justify the refusal or obstruction.

(b) The commission or any of its commissioners may appoint a duly qualified impartial physician to examine the injured employee and to report, his fees and traveling expense for which shall be fixed and allowed by the commission and paid as other costs under this chapter. If all the parties shall have had reason-

able access thereto, the report of such physician shall be admissible in evidence.

(c) The testimony of any physician who examined the employee shall be admissible in evidence in any proceedings for compensation under this chapter.

(d) Certified copies of the proceedings before any coroner holding an inquest over the body of any employee receiving an injury in the course of his employment resulting in death, shall be admissible in evidence in any proceedings for compensation under this chapter, and it shall be the duty of the coroner to give notice of such inquest to the employer and the dependents of the deceased employee, who shall have the right to cross-examine the witness.

(e) The commission may in its discretion in extraordinary cases order a post mortem examination and for that purpose may also order a body exhumed. (R. S. 1929, § 3348.)

Sec. 3739. Proceedings before commission to be informal and summary.—All proceedings before the commission or any commissioner shall be simple, informal and summary, and without regard to the technical rules of evidence, and no defect or irregularity therein shall invalidate the same. Except as herein otherwise provided, all such proceedings shall be according to such rules and regulations as may be adopted by the commission. (R. S. 1929, § 3349.)

Sec. 3740. Commission shall have power to administer oaths, issue process, take depositions, etc.—costs, how paid.—The commission, or any commissioner, shall have power to issue process, subpoena witnesses, administer oaths, examine books and papers, and require the production thereof, and to cause the deposition of any witness to be taken and the costs thereof paid as other costs under this chapter. Any party shall be entitled to process to compel the attendance of witnesses and the production of books and papers, and at his own cost to take and use depositions in like manner as in civil cases in the circuit court. Subpoena shall extend to all parts of the state, and may be served as in civil actions in the circuit court, but the costs of such service shall be as in other civil actions. Each witness shall receive the fees and mileage prescribed by law in civil cases, but the same shall not be allowed as costs to the party in whose behalf the witness was summoned unless the persons before whom the hearing is had shall certify that the testimony of such witness was necessary. All costs under this chapter shall be approved by the commission and paid out of the state treasury from the fund for the support of the Missouri workmen's compensation commission: *Provided, however,* that if the commission shall determine that any proceedings before it or any of its members, have been brought, prosecuted or defended without reasonable ground, it may assess the whole cost of the proceedings upon the party who so brought, prosecuted or defended them. The commission may permit a claimant to prosecute a claim as a poor person as provided by law in civil cases. (R. S. 1929, § 3350.)

Sec. 3741. Contempt—penalty.—If any person subpoenaed to appear at any hearing or proceeding, fails to obey the command of such subpoena without reasonable cause, or if any person in attendance at any hearing or proceeding shall without reasonable cause, refuse to be sworn, or to be examined, or to answer a question, or to produce a book or paper or to subscribe or swear to his deposition, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and may be prosecuted therefor in any court of competent jurisdiction, and in case of a continuing violation, each day's continuance thereof shall be, and deemed to be, a separate and distinct offense. (R. S. 1929, § 3351.)

Sec. 3742. Death, pending proceedings, action shall not abate.—If any party shall die pending any proceedings under this chapter, the same shall not abate, but on notice to the parties may be revived and proceed in favor of the successor to the rights or against the personal representative of the party liable, in like manner as in civil actions. (R. S. 1929, § 3352.)

Sec. 3743. Conspiring to defraud—misdemeanor.—Any person who shall make, or conspire with, aid, or abet another to make, any false or fraudulent claim to compensation or other benefits under this chapter, and any person who shall by fraud, deceit or misrepresentation, receive, make or cause to be made, or conspire with, aid or abet another to receive, make or cause to be made, any payment of compensation under this chapter to which the recipient is not lawfully entitled, and any person who shall by fraud, deceit or misrepresentation and with intent to defraud cause or procure, or conspire with, aid or abet another in causing or procuring any person entitled to any benefits under this chapter to fail to make claim therefor or to accept in payment thereof less than is due under this chapter, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment. (R. S. 1929, § 3353.)

Sec. 3744. Workmen's compensation commission created—term of office—qualifications—salary—removal from office.—There is hereby created the Missouri workmen's compensation commission consisting of three members, one of whom shall be learned in the law, to be appointed by the governor, by and with the advice and consent of the senate, and the commission shall organize by electing one of their members as chairman. The term of office of each commissioner shall be six years, except that when first constituted one member of the commission shall be appointed for two years, one for four years and one for six years, and thereafter all vacancies shall be filled as they occur. The

terms of office of the first commissioners shall begin on the date of their appointment, which shall be immediately after the adjournment of the general assembly. At least one member of the commission shall be appointed from each of the two dominant political parties, and at least one member of said commission shall be a person who on account of his previous vocation, employment or affiliation, shall be classified as a representative of employers, and at least one member of said commission shall be a person who, on account of his previous vocation, employment or affiliation, shall be classified as a representative of employees. Such commissioners may be removed in like manner as is provided by law for members of the public service commission. Vacancies shall be filled by the governor for the unexpired term, and during any vacancy the remaining members shall exercise all of the powers of the commission. The annual salary of each commissioner shall be four thousand five hundred dollars. (R. S. 1929, § 3354.)

Sec. 3745. Oath of office—activity in politics barred—bond required.—Each commissioner and each person appointed to office or employment by the commission shall, before entering upon his duties, take and subscribe to an oath or affirmation to support the Constitution of the United States, and of this state, and to faithfully and honestly discharge the duties of such office or employment. Each commissioner and each person appointed to office by the commission shall give his whole time to his duties, nor shall he serve on any committee of any political party. Each commissioner shall before entering upon his duties give a bond to the state of Missouri in the sum of fifty thousand dollars conditioned that he will faithfully perform the duties of his office, and if a surety company bond be given, the premium therefor shall be paid by the state as other expenses under this chapter. (R. S. 1929, § 3355.)

Sec. 3746. Commission must keep a seal—may sue and be sued.—The commission may sue and be sued in its official name and shall have a seal bearing the inscription "Missouri workmen's compensation commission." The seal shall be affixed to all writs and authentication of copies of records, papers on file, and to such other instruments as the commission shall direct, and all courts shall take judicial notice of such seal. Copies of the records and proceedings of the commission, and of all papers on file in its office, certified under the said seal, shall be evidence in all courts of the state. (R. S. 1929, § 3356.)

Sec. 3747. Commission authorized to appoint a secretary, referees—salaries to be paid—power of referees.—The commission shall appoint a secretary; and also appoint such number of referees as it may find necessary, but not exceeding six in number, who shall be duly licensed lawyers under the laws of this state. The salary of such secretary shall be \$3600.00 per annum. The secretary shall hold office at the pleasure of the commission but any referee shall be discharged or removed only by the governor. The secretary shall perform such administrative duties

as may be prescribed by the commission. The referees appointed by the commission shall only have jurisdiction to hear and determine claims upon original hearing and shall have no jurisdiction whatsoever upon any review hearing either in the way of an appeal from an original hearing or by way of re-opening any prior award. With respect to original hearings the referees shall have such jurisdiction as heretofore has devolved upon the commission, or one of its members, under other sections of this chapter, and wherever in this chapter the word commission or commissioners is used in respect to any original hearing, those terms shall include the referees appointed under this section. When a hearing is necessary upon any claim the commission shall assign a referee to such hearing. Any referee shall have power to approve contracts of settlement between the parties to any claim under this chapter, to the same extent as elsewhere provided for the commission or one of its members. Any award by a referee upon an original hearing shall have the same force and effect, be subject to the same review and appellate procedure, and enforceable in the same manner as provided elsewhere in this chapter for similar awards by the commission or any member thereof. The commission may appoint or employ such other persons as may be necessary to the proper administration of this chapter at salaries to be fixed by the commission and approved by the governor: *Provided, however*, that such salaries shall in no case exceed \$150.00 per month to any stenographer, \$125.00 per month to any clerical employee, or \$300.00 per month to any other employee, assistant or referee. (Amended, Laws of Missouri, 1943, Effective November 21, 1943.)

Sec. 3748. Attorney-general, legal adviser.—It shall be the duty of the attorney-general to furnish the commission with such legal services as it may require, and to appear on its behalf in all actions or proceedings to which it may be a party. (R. S. 1929, § 3358.)

Sec. 3749. Commission to furnish blanks, etc.—The commission shall prepare and furnish free of charge blank forms of all notices, claims, reports, proofs, and other blank forms and literature which it may deem proper and requisite to the efficient administration of this chapter. It may also authorize the publication and distribution of such blanks by employers and other persons. (R. S. 1929, § 3359.)

Sec. 3750. Offices to be provided at state capitol, St. Louis and Kansas City—salary and traveling expenses, when paid—hearings—where held.—The commission shall be provided with offices at the state capitol, in St. Louis and Kansas City, in which offices its records shall be kept, but its permanent records shall be kept in Jefferson City. The commission shall also be provided with the necessary office furniture, books, stationery and other supplies. Paper and stationery shall be furnished and printing done for the commission as provided by chapter 117, R. S. 1939. The commission and each of their appointees and employees shall have reimbursed to them their actual traveling expenses and

disbursements in the discharge of their duties while away from their regular offices and places of residence, but the same shall not be paid until verified by the affidavit of the person who incurred them and approved by the commission. All salaries, expenses and costs under this chapter shall be paid monthly out of the state treasury from the fund for the support of the Missouri workmen's compensation commission.

(a) Unless the parties otherwise agree, all original hearings shall be held in the county or city where the accident occurred, at such place or places therein as may be determined by the commission, or if the accident occurred outside of the state, then the hearing shall be held in the county where the contract of employment was made.

(b) Hearings before the full commission on review may be held at such place or places as the commission may determine, having due regard for the convenience of the parties. (R. S. 1929, § 3360.)

Sec. 3751. Commission to make rules and regulations.—The commission and its members shall have such powers as may be necessary to carry out all the provisions of this chapter, and it may make such rules and regulations as may be necessary for any such purpose. The commission shall have the power at the expiration of ten years of their receipt to destroy by burning reports of accidents on which no compensation (exclusive of medical costs) was due or paid or on which no claim was filed, together with the papers attendant to the filing of such reports. (R. S. 1929, § 3361. Reenacted, Laws 1939, p. 930.)

Sec. 3752. Fees collected by commission to be turned into state treasury.—The commission shall charge and collect the following fees, to be paid at least once each month into the state treasury to the credit of the fund for the support of the Missouri workmen's compensation commission: For copies of papers and records not required to be certified or otherwise authenticated by the commission, ten cents for each one hundred words and figures; for certified copies of official documents, awards or other records, fifteen cents for each one hundred words and figures, and one dollar for every certificate under seal affixed thereto; for each certified copy of annual report of the commission, one dollar and fifty cents; for copies of evidence and proceedings, fifteen cents for each one hundred words and figures; also all other fees and charges allowed or required to be collected under this chapter or any other law. The commission shall also fix and collect from the employer the reasonable expense of any investigation necessary to determine his ability to carry his own insurance. No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity, or for annual reports or other matters, published by the commission, in the ordinary course of distribution, but the commission may fix reasonable charges for publications issued under its authority. (R. S. 1929, § 3362.)

Sec. 3753. Public officers—no fees for services.—Every public officer, without exacting a fee or charge therefor, shall furnish the commission on application, with a certified copy of any document, or part thereof, on file in his office, and no public officer shall be entitled to receive from the commission any fee for entering, filing, docketing or recording any document required or authorized by law to be filed in his office. (R. S. 1929, § 3363.)

Sec. 3754. Commission to make annual report to governor—same to be laid before legislature.—The commission shall make and submit to the governor, on or before the second Monday in January, in each year, a report containing a full and complete account of its transactions and proceedings for the preceding year, together with all statistics and information collected by it, and such other facts, suggestions and recommendations as it may deem of value, which report shall be laid before the legislature. (R. S. 1929, § 3364.)

Sec. 3755. Taxes to raise funds for the operation of this law—how assessed.—For the purpose of providing for the expense of administering this chapter, every person, partnership, association, corporation, whether organized under the laws of this or any other state or country, company, mutual company, the parties to any inter-indemnity contract, or other plan or scheme, and every other insurance carrier, insuring employers in this state against liability for personal injuries to their employees, or for death caused thereby, under this chapter, shall, as hereinafter provided, pay tax upon the deposits or premiums received, whether in cash or notes in this state, or on account of business done in this state, for such insurance in this state at the rate of two per cent in lieu of all other taxes on such deposits or premiums, which amount of taxes shall be assessed and collected as hereinafter provided. (R. S. 1929, § 3365.)

Sec. 3756. Returns delinquent—duty of superintendent of insurance.—If any such insurance carrier shall fail or refuse to make the return required by this chapter, the said superintendent shall assess the tax against such insurance carrier or self-insurer at the rate herein provided for on such amount or premiums or deposits as he shall deem just, and the proceedings thereon shall be the same as if the return had been made. (R. S. 1929, § 3366.)

Sec. 3757. Superintendent may suspend delinquent companies.—Every such insurance carrier shall on or before the first day of March, 1926, and each year thereafter, make a return, verified by the affidavit of its president and secretary, or other chief officers or agents, to the superintendent of the insurance department, stating the amount of all such gross premiums or deposits and credits during the year ending on the 31st day of December, next preceding. Upon the receipt of such returns the superintendent shall verify the same and assess the tax upon the various insurance carriers on the basis and at the rate provided in section 3756 of this chapter, and make a schedule thereof, duplicate copies

of which, properly certified by said superintendent, shall be filed in the office of the state auditor and state treasurer on or before the 1st day of April in each year. Immediately thereafter the superintendent shall notify the insurance carriers of the amount of taxes respectively due from them, and such taxes shall be paid annually into the state treasury on or before the first day of May, next ensuing. If not so paid the state treasurer shall certify the fact to the superintendent, who shall thereafter suspend such delinquent carriers of insurance from the further transaction of business in this state until such taxes shall be paid. Upon receiving said money the state treasurer shall place the whole thereof to the credit of the fund for the support of the Missouri workmen's compensation commission. As the commission may from time to time determine, the state auditor and state treasurer shall make transfers to the general revenue fund from the fund for the support of the Missouri workmen's compensation commission, so as to refund any appropriations made to said fund out of the general revenue fund. (R. S. 1929, § 3367.)

Sec. 3758. Companies withdrawing from state must pay tax due.—If any such insurance carrier shall withdraw from business in this state before the tax shall fall due according to the provisions of this chapter, or shall fail or neglect to pay the tax imposed herein, the superintendent shall at once proceed to collect the same, and he is hereby empowered and authorized to employ such legal process as may be necessary for that purpose and when so collected he shall pay the same into the state treasury as a part of the fund for the support of the Missouri workmen's compensation commission. The suit may be brought by the superintendent in his own name, in any court of this state having jurisdiction, reasonable attorney's fees may be taxed as costs therein, and process may issue to any county of the state, and may be served as in civil actions or in cases of unincorporated associations, partnerships, inter-indemnity contract or other plans or scheme upon the principal agent of the parties thereto. (R. S. 1929, § 3368.)

Sec. 3759. Employer carrying own risk must pay tax.—Wherever the employer carries his own risk or whatever substitute schemes for insurance provided for in section 3721 have been approved, the commission shall inform the superintendent of insurance, who, thereupon, shall assess and in like manner collect a similar tax from the employer carrying his own risk at the same rate and on the same basis as taxes are assessed against insurance carriers, of any character, carrying like risks in this state under the provisions of this chapter. (R. S. 1929, § 3369.)

Sec. 3760. Insurance agent, guilty of misdemeanor—when.—Any person or persons who shall in this state act or assume to act as agent for any such insurance carrier whose authority to do business in this state has been suspended under this chapter, while such suspension remains in force, or shall neglect or refuse to comply with any of the provisions of this chapter obligatory upon such person or party, or who shall willfully make a false or fraudu-

lent statement of the business or condition of any such insurance carrier, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$500 nor more than \$5,000 or by imprisonment in the county jail for not less than one week nor more than one year, or by both such fine and imprisonment. (R. S. 1929, § 3370.)

Sec. 3761. Sufficiency of notice.—Whenever by this chapter any officer is required to give any notice to any insurance carrier, the same may be given by mailing the same, postage prepaid, addressed to the principal office of the insurance carrier or its agent in this state, or to its home or to the secretary, general agent or chief officer thereof in the United States. (R. S. 1929, § 3371.)

Sec. 3762. Insurance carriers exempt from other tax, when.—Any insurance carrier, foreign or domestic, liable to pay a tax upon its premiums or deposits under this chapter shall not be liable to pay any other or further tax upon such premiums or deposits under any other law of this state, and the provisions of this chapter shall also extend and apply to all premiums or deposits received during any part of the year 1925. (R. S. 1929, § 3372.)

Sec. 3763. Penalty not specifically provided—misdemeanor. Any person, corporation, his or its directors, officers or agents, or any other person who violates any of the provisions of this chapter for which a penalty has not hereinbefore been specifically provided, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment in the county jail for not less than one week and not more than one year or both such fine and imprisonment. (R. S. 1929, § 3373.)

Sec. 3764. Law to be liberally construed.—All of the provisions of this chapter shall be liberally construed with a view to the public welfare, and a substantial compliance therewith shall be sufficient to give effect to rules, regulations, requirements, awards, orders or decisions of the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto. (R. S. 1929, § 3374.)

Sec. 3765. Legislative intent expressed.—If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter. The general assembly hereby declares that it would have passed the chapter, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more of the same shall be declared unconstitutional. (R. S. 1929, § 3375.)

Sec. 3766. Inconsistent acts repealed.—All acts or parts of acts in conflict or inconsistent herewith are to that extent hereby repealed. (R. S. 1929, § 3376.)

REVISED BULLETIN NO. 3

RATINGS FOR LOSS OF TEETH

1. **Permanent partial disability.**—Loss of teeth shall be rated as permanent partial disability in lieu of all other compensation therefor, except disfigurement and that provided in Section 3701 of the law (medical, etc.), and compensation shall be paid for the periods set forth in the table below. Each cutting, eye, or wisdom tooth shall be counted as one tooth, and each molar or grinding tooth as two teeth.

2. **Disfigurement.**—In addition to all other compensation, loss of front teeth only shall be rated as disfigurement in an amount sufficient to cover the reasonable cost of artificial teeth.

Number of teeth.	Weeks com-pensation.	Number of teeth.	Weeks com-pensation.	Number of teeth.	Weeks com-pensation.
1/8.....	.16	13	16.25	32	40.00
1/4.....	.31	14	17.50	33	41.25
1/3.....	.42	15	18.75	34	42.50
1/2.....	.63	16	20.00	35	43.75
2/3.....	.83	17	21.25	36	45.00
3/4.....	.94	18	22.50	37	46.25
7/8.....	1.09	19	23.75	38	47.50
1.....	1.25	20	25.00	39	48.75
2.....	2.50	21	26.25	40	50.00
3.....	3.75	22	27.50	41	51.25
4.....	5.00	23	28.75	42	52.50
5.....	6.25	24	30.00	43	53.75
6.....	7.50	25	31.25	44	55.00
7.....	8.75	26	32.50	45	56.25
8.....	10.00	27	33.75	46	57.50
9.....	11.25	28	35.00	47	58.75
10.....	12.50	29	36.25	48	60.00
11.....	13.75	30	37.50		
12.....	15.00	31	38.75		

REVISED BULLETIN NO. 5

PARTIAL LOSS OF VISION

1. In every case of ocular injury, there shall be reported to the Commission the central visual acuity findings of *each eye*, both with and without the use of correcting lenses. Central visual acuity tests shall be made for distance vision at 20 feet and for near vision at 14 inches. These findings shall be recorded in Snellen notation for distance vision and in Snellen or Jaeger notations for near vision.

2. The extent of the visual field of each eye shall be determined by the usual perimetric test methods, and the findings recorded on visual field charts.

3. Extra-ocular muscle function shall be determined in all parts of the motor field by any standard and recognized method. If diplopia exists in any portion of the field of binocular fixation, the fractional portion of the field wherein diplopia exists shall be determined and reported. If diplopia does not exist, a statement of that fact shall be made.

4. Corneal scars, opacities in the lens, synechia, disturbance in the pupillary reactions, anterior chamber exudates or hemorrhages, vitreous opacities, intra-ocular foreign bodies, fundus changes, and any other evidences of injury to either eye shall be reported, giving size, location, shape, amount, and any other descriptive data of every traumatic result.

5. For partial loss in one eye only, the vision of the other eye shall be taken as normal for the injured eye unless the prior vision of the injured eye is known or the other eye is defective.

6. To determine the amount of partial visual efficiency loss, the method of procedure proposed in the approved and adopted 1925 report of the Committee on Compensation for Eye Injuries, appointed by the Section of Ophthalmology of the American Medical Association, shall be used, except that the loss shall be taken at that without the aid of correcting lenses according to the following table:

Diopter or meter	Jaeger	Snellen Notations		Central visual acuity retained	Central visual acuity loss
		At 14 inches	At 20 feet		
0.37 D..	No. 1	14/14	20/20	100.0%	00.0%
0.50 D..	2	14/21	20/30	88.0%	12.0%
0.62 D..	3	14/24	20/33	84.7%	15.3%
0.75 D..	4	14/28	20/40	77.4%	22.6%
0.87 D..	6	14/35	20/50	68.1%	31.9%
1.00 D..	8	14/42	20/60	60.0%	40.0%
1.25 D..	9	14/49	20/70	52.7%	47.3%
1.50 D..	10	14/56	20/80	46.4%	53.6%
1.75 D..	11	14/70	20/100	35.9%	64.1%
2.00 D..	12	14/84	20/120	27.8%	72.2%
2.50 D..	14	14/98	20/140	21.5%	78.5%
3.00 D..	16	14/112	20/160	16.7%	83.3%
3.50 D..	17	14/140	20/200	10.0%	90.0%
4.00 D..	18	14/168	20/240	06.0%	94.0%
6.00 D..	19	14/224	20/320	02.1%	97.9%
8.00 D..	20	14/336	20/480	00.3%	99.7%

RULES AND PROCEDURE
of the
MISSOURI WORKMEN'S COMPENSATION COMMISSION
Effective January 1, 1936

NON-CONTESTED CASES

1. Report of Accident.—Any accident which requires medical aid shall be reported to the Commission on Form 1 by the employer or insurer within 10 days after knowledge thereof.

2. Non-Compensable Cases.—If employee suffers no compensable disability, the *Report of Accident*, Form 1, is the only form required, *provided* that said form shows the complete cost of medical aid.

3. Compensable, Temporary Disability.—If the case is compensable and if the disability is temporary only and has ended when the first payment of compensation is made, the employee shall sign receipts therefor on *Third Revised Form 2*, the original of which the employer or insurer shall send to the Commission at once.

4. Temporary Agreement.—If the disability has not ended when the first payment of compensation is made, the parties shall sign and send to the Commission *Temporary Agreement*, Fourth Revised Form 4. The Commission should be notified immediately if compensation is stopped under this temporary agreement and the reason therefor. If compensation is continued under said agreement until disability has ended, receipt for compensation paid should be taken on *Third Revised Form 2* and the original thereof sent to the Commission by the employer or insurer. *Surgeon's Report* must accompany this receipt.

5. Compensable, Permanent Disability.—If the disability is permanent, as soon as the nature and extent of same is fixed, the Commission shall be notified. If deemed necessary the case will be set for conference before a representative of the Commission in order that a definite rating may be made. When all of the compensation has been paid in accordance with the surgeon's report or the Commission's rating, receipts therefor on *Third Revised Form 2* shall be signed by the employee and the original shall be sent to the Commission by the employer or his insurer.

CONTESTED CASES

6. Claim for Compensation.—Employee or dependents shall file claim on Form 21, *Claim for Compensation*, and all questions on said form shall be answered as fully as possible. This claim must be filed in triplicate within the time prescribed by Section 3727, R. S. Mo. 1939.

7. Answer to Claim for Compensation.—Upon receipt of a *Claim for Compensation*, the Commission will immediately forward a copy of same to the employer and insurer, and within 10 days from the date of the Commission's acknowledgment of the claim, the employer and/or insurer shall file answer to the claim on Form 22, *Answer to Claim for Compensation*, in triplicate. (Amended July 9, 1937.)

8. Failure to File Answer.—Unless the *Answer to Claim for Compensation* is filed within ten days from the date the Commission acknowledges receipt of the claim, the statements in the *Claim for Compensation* shall be taken as admitted; *provided*, that the Commission may extend the time for filing where good cause is shown. (Amended July 9, 1937.)

9. Hearing.—When the *Answer to Claim for Compensation* is filed or when no Answer is filed within 10 days and no extension of time has been granted, the case will be listed for hearing at the earliest possible date.

10. Place of Hearing.—A hearing will be set in the county where the accident occurred, unless the parties otherwise agree, and the parties will be notified by United States mail as to the exact date, place, and hour thereof at least 10 days prior to the hearing date.

11. Continuances.—Whenever a claim is set for hearing and a party to such claim desires a continuance of such hearing, he shall file with the Commission a written application therefor, fully setting forth the reasons for such continuance, and the applicant shall also furnish opposing party with copy of such request; or if such continuance is agreed to by the parties or their attorneys, such agreement must be in writing, and filed as aforesaid with the Commission, and shall state fully the reasons therefor. *In either case, if the Commission find such reasons good and sufficient, such continuance may be granted.*

If more than one continuance be asked for by the same party, or by agreement of the parties, it shall be granted only under most unusual circumstances.

Whenever a continuance is granted the claim shall go to the foot of the docket for hearing in its venue, and shall not be reset until again reached in its regular order, unless the Commission shall, on its own motion, advance it on the docket for cause, shown in writing and supported by affidavit filed by either party.

All parties should be prepared to introduce all of their evidence when the case is set for a hearing, as continuances for additional evidence will be granted only when the referee, the commissioner, or commissioners before whom the case is set, are satisfied that additional evidence could not be produced at the first hearing, and that such evidence is necessary to a full and complete hearing. (Amended May 11, 1937.)

12. Dismissal for Want of Prosecution.—If claimant fails to enter his appearance either in person or by counsel at the first

setting of his claim, and the same is continued, claimant shall be notified of the second setting by registered United States mail. If he fails to appear at the second setting, his claim may be dismissed for want of prosecution. (Adopted February 9, 1939.)

13. Conduct of Hearings.—Hearings before the Commission shall be simple, informal, and summary with respect to the conduct thereof, but the rules of evidence as applied to civil cases in the State of Missouri shall be applied. Exceptions to adverse rulings are automatically saved to the party ruled against.

14. Awards.—Following a hearing, the Commissioner or Referee who held the case will issue an award at the earliest possible date, attested copies of which will be sent by registered United States mail to all parties.

15. Application for Review.—If any party is dissatisfied with the award, he may file *Application for Review*, Form 37, by the full Commission, as provided by Section 3731, R. S. Mo. 1939. Such Application must be filed or received at the Commission's office in Jefferson City, or at its offices in St. Louis or Kansas City, within the 10-day period prescribed by the above-mentioned section.

16. Additional Evidence.—The full Commission will not hear additional evidence on review except in extreme cases. If it deems it advisable, additional evidence may be allowed on the motion of either party or on its own motion.

17. Oral Argument.—Oral argument will be granted only at the discretion of the Commission, and the request must be accompanied by specific reasons therefor. (Amended August 24, 1939.)

18. Briefs.—Briefs may be filed in any case at the request of either party.

19. Final Award.—Attested copies of the Commission's final award will be sent to all parties by registered United States mail.

20. Appeal to Circuit Court.—If either party is dissatisfied with the final award, he may appeal to the circuit court of the county where the accident occurred, as provided in Section 3732, R. S. Mo. 1939. The notice of appeal shall be filed on Form 39, *Notice of Appeal to Circuit Court*.

PAYMENT IN LUMP SUM OF COMPENSATION DUE

21. Generally.—Section 3736, R. S. Mo. 1939, gives the Commission power to order compensation paid in a lump sum. This section expressly provides that "commutation is a departure from the normal method of payment and is to be allowed only when it appears that some unusual circumstances warrant such a departure." The Commission adheres very strictly to the clear mandate of the statute.

22. Application, When Filed.—Application for lump sum settlement may be filed only after the compensation payable has been definitely determined; *provided*, that such application may be made at the time a hearing is held, and if filed at that time, it will be taken and decided with the case.

23. Application, How Filed.—Application for a lump sum shall be filed on Form 8, *Request for Lump Sum Settlement*, in triplicate, and should be mailed to the Commission's office in Jefferson City.

24. Employer and/or Insurer Notified.—Upon receipt of *Request for Lump Sum Settlement*, a copy of same will be sent to the employer and/or insurer.

25. Action on Application When Not Opposed.—When the employer and/or insurer are notified of the Application, they will be requested to notify the Commission of their attitude toward the request. If they have no objection, and the Commission finds that the Request should be granted, same will be ordered forthwith.

26. Action on Application When Opposed.—If employer and/or insurer advise the Commission that they are opposed to the payment of compensation in a lump sum, they may request that the case be set for hearing, and same will be set down. If employer and/or insurer advise the Commission that they are opposed to the lump sum payment, but do not request a hearing, the Commission will decide the Request without any oral testimony, unless they of their own motion desire to hear the parties.

27. How Order is Sent.—The Commission's order, either allowing or denying the *Request for Lump Sum Settlement*, will be sent by United States mail to all parties.

28. Employee May be Heard.—If the employee desires that he be heard on the *Request for Lump Sum Settlement*, he should so state when the original application is filed, and the request will be set down for hearing.

ACCEPTANCE AND REJECTION OF LAW

By Employer

29. Conclusive Presumption of Acceptance.—Every employer, unless exempted by the employments listed in Section 3693, R. S. Mo. 1939, shall be conclusively presumed to have elected to accept the Missouri Workmen's Compensation Law, unless prior to an injury he had filed a written rejection with the Commission or has fewer than eleven employees in employment not held hazardous by the Commission.

30. Exempted Employer's Acceptance.—Any employer exempted by Section 3693, R. S. Mo. 1939, who wishes to operate under the provisions of the Missouri Workmen's Compensation Law, may do so by properly executing Form 67, *Exempted Em-*

ployer's *Acceptance of Law*, and posting on his premises in conspicuous places Form 66, *Notice of Acceptance of Law*, which are provided by the Commission. Such election stands until withdrawn, and no new acceptance need be filed (and will not be accepted) upon such occasions as change in insurance carrier or personnel of employees.

31. Hazardous Employment.—Any minor employer who has been found by the Commission to be engaged in an occupation hazardous to employees shall be conclusively presumed to have accepted the provisions of the Missouri Workmen's Compensation Law, unless he rejects the Chapter within ten days after the Commission's finding. (Section 3692c, R. S. Mo. 1939.)

32. Exemption as to Individual Employee.—Any employer who has elected to accept the Missouri Workmen's Compensation Law may exempt himself as to its provisions with respect to an individual employee whose work is non-hazardous by filing with the Commission the written consent of such employee on Form 68, *Employee's Consent to Exemption of Employer*, which must be approved by the Commission before effective; *provided*, that at any time thereafter before the injury the employee may revoke such consent on Form 69, *Revocation of Employee's Consent to Exemption of Employer*, by filing same with the Commission, whose duty it shall be to notify the employer of such revocation.

33. Occupational Disease Acceptance.—Any employer operating under the Missouri Workmen's Compensation Law may bring himself under the law as respects occupational disease by filing with the Commission on Form 67-A, *Employer's Acceptance of Amendment to Section 3695, R. S. 1939, Relative to Occupational Diseases*, his acceptance of the Amendment, and by posting in conspicuous places on his premises Form 66-A, *Notice of Employer's Acceptance of Amendment*, which notices are provided by the Commission.

34. Rejection of Law.—Any major employer or any minor employer whose employment has been found by the Commission to be hazardous to employees may reject the provisions of the Missouri Workmen's Compensation Law by filing with the Commission written rejection on Form 63, *Employer's Rejection of Law*, and posting in conspicuous places on the premises Form 64, *Notice of Rejection of Law*, which are provided by the Commission.

ACCEPTANCE AND REJECTION OF LAW

By Employee

35. Conclusive Presumption of Acceptance.—Every employee of a major employer and every employee of a minor employer whose employment has been found by the Commission to be hazardous to employees (with the exception of exempted employments in Section 3693, R. S. Mo. 1939) shall be conclusively

presumed to have elected to accept the provisions of the Missouri Workmen's Compensation Law, unless prior to an injury a written rejection of the Law has been filed with the Commission on Form 61, *Employee's Rejection of Law*.

36. Acceptance of Law.—An employee of an exempted employer who has accepted the Law is conclusively presumed also to have accepted it within thirty days of the Acceptance, and any employee who enters the employment after the Acceptance has been made is conclusively presumed to have accepted the Law unless he rejects it. Form 70, *Employee's Acceptance of Law*, is provided for those employees who wish their status to be determined definitely prior to the end of the thirty-day period.

37. Occupational Disease Amendment.—An employee of an employer who has accepted the occupational disease amendment of the Law is conclusively presumed also to have accepted it within thirty days of the Acceptance, and any employee who enters the employment after the Acceptance has been made is conclusively presumed to have accepted the Amendment unless he rejects the Law.

38. Employee's Rejection of Law.—Any employee of an employer who is working under the Law may reject the same by filing with the Commission his written rejection on Form 61, *Employee's Rejection of Law*, which shall be effective on any and all employments he may then or thereafter engage in. The same procedure is followed by an employee who does not wish to operate under the occupational disease amendment to the Law.

39. Consent to Exemption.—Any employee of an employer operating under the Law may give consent to exemption to his employer by filing with the Commission on Form 68, *Employee's Consent to Exemption of Employer*, which exemption is not effective until approved by the Commission. Such consent may be withdrawn at any time by the employee by the filing of Form 69, *Revocation of Employee's Consent to Exemption of Employer*.

WITHDRAWAL OF ACCEPTANCE AND REJECTION

By Employer

40. Withdrawal of Acceptance of Law.—Any exempted employer who has filed with the Commission an Acceptance of Law may resume his former status by filing Form 65-B, *Withdrawal of Employer's Acceptance*, with the Commission. In this event, Forms 66, *Notice of Employer's Acceptance of Law*, should be removed from their posting places on the employer's premises.

41. Withdrawal of Occupational Disease Acceptance.—An employer who has accepted the occupational disease amendment to the Law may resume his former status by filing with the Commission Form 65-A, *Withdrawal of Employer's Acceptance of Amend-*

ment. In this event, Forms 66-A, *Notice of Employer's Acceptance of Amendment*, should be removed from their posting places on the employer's premises.

42. Withdrawal of Rejection of Law.—Any employer who has rejected the Law may again come under its provisions by filing with the Commission Form 65, *Withdrawal of Employer's Rejection of Law*. In this event, Forms 64, *Notice of Employer's Rejection*, should be removed from their posting places on the employer's premises.

WITHDRAWAL OF REJECTION

By Employee

43. Withdrawal of Rejection of Law.—Any employee who has rejected the Law may resume his former status under the Workmen's Compensation Law by filing with the Commission Form 62, *Withdrawal of Employee's Rejection*. This action is effective for any and all employments which the employee may then or thereafter engage in, unless another rejection is filed.

GENERAL INFORMATION

1. Upon receipt of an *Employee's Rejection of Law*, acknowledgment is immediately made, a copy going to the employer if his name is given.

2. Upon request, the Commission will give the status of an employer or employee, but such request should always include the full and correct name, street, city, and state address.

3. Large organizations often request periodically the status of employees, and for that purpose send in lists. The Commission requires such lists to be arranged alphabetically for checking purposes, with full names and addresses given.

4. Forms not in order will be returned to those executing them. For example, forms are not in order when there is an existing form to the same effect on file; when a "withdrawal" is received and there is no acceptance or rejection to withdraw; when an *Exempted Employer's Acceptance of Law* is received that shows on its face the employer is already operating under the Law as a major employer.

5. Section 3752, R. S. Mo. 1939, provides a schedule of fees for documents and papers as follows:

"For copies of papers and records not required to be certified or otherwise authenticated by the Commission, ten cents for each one hundred words or figures; for certified copies of official documents, awards or other records, fifteen cents for each one hundred words and figures, and one dollar for every certificate under seal affixed thereto; for each certified

copy of annual report of the Commission, one dollar and fifty cents; for copies of evidence and proceedings, fifteen cents for each one hundred words and figures. . . ."

6. Section 3752 also provides that the Commission shall fix and collect from the employer the reasonable expense of any investigation necessary to determine his ability to carry his own insurance.

7. Requests for transcripts or parts of transcripts not required for the consideration of the Commission shall take their chronological place with orders for transcripts on review and shall be written in that sequence. Requests for parts of transcripts already prepared cannot be complied with; in such cases the entire transcript must be bought at the rate provided by law, or the entire transcript will be provided free of charge to any party who files affidavit with the Commission that he is a poor person within the meaning of the law. (Adopted August 6, 1937.)

8. For information concerning self-insurance and fees in connection therewith, refer to *Revised Rules for Self-Insurers* on the next page.

REVISED RULES FOR SELF-INSURERS

Effective January 1, 1936

Rule 1. Application.—Every employer desiring to become a self-insurer shall make application for such privilege on a form provided by the Missouri Workmen's Compensation Commission. This application shall contain: (a) A payroll report for the preceding twelve months; (b) a sworn itemized statement of the assets and liabilities of the employer; and (c) a description of the safety organization maintained by the employer within his establishment for the prevention of accidents. If, upon examination of the sworn financial statement, the Commission is satisfied of the ability of the employer to make current compensation payments and that his tangible assets make reasonably certain the payment of all obligations that may arise under the Missouri Workmen's Compensation Law, the application will be granted, subject to the conditions hereinafter provided. Such self-insurance authority, if granted, will continue in force and effect until revoked by the Commission upon notice and hearing on show-cause order or until withdrawn by the employer, except that upon failure of a self-insurer to continuously maintain security, hereinafter provided for, in the amount required by the Commission, such self-insurance authority shall forthwith terminate without such notice and hearing. (Amended September 30, 1940.)

Rule 2. Security Required.—The employer shall furnish security in the minimum amount of \$3,000.00, and the Commission may, if it deems advisable in any particular case, require a larger amount. The employer will have the option of furnishing security in any one of three ways: (1) by filing with the Missouri Workmen's Compensation Commission an approved surety bond; (2) by depositing in escrow approved securities; or (3) by depositing cash in escrow.

Rule 3. Method of Furnishing Security.—If a surety bond is given, the surety shall be a company authorized to transact such business in the State of Missouri. The bond shall be on a form prescribed by the Missouri Workmen's Compensation Commission.

If securities are deposited in escrow, they shall be direct obligations (either bonds or notes) of the United States or of the State of Missouri. In lieu of depositing the securities aforesaid, the employer, at his election, may deposit cash in escrow in an amount equal to the par value of securities otherwise required to be deposited. If securities or cash are deposited, as above provided, the employer shall file with the Commission, on a form provided by the Commission, an agreement providing that upon failure or neglect of the employer to make payment of compensation upon final award or final judgment (after employer has exhausted his rights of review and appeal under the Missouri Workmen's Compensation Law) all, or any part, of such securities, as the occasion may require, may be sold, and the proceeds thereof, as well as any cash deposited, shall be used to pay any compensation obligations

which such employer has so neglected or refused to pay; but no securities shall be sold or funds used to make payments of compensation until after the Commission has given the employer ten (10) days' written notice to make payment.

After an employer has secured his liability by any one of the methods heretofore and hereafter set out, and desires to substitute one form of security for the other, same may be done upon approval of the Commission.

Rule 4. When Additional Security May be Required of An Employer.—The employer shall file with the Missouri Workmen's Compensation Commission semi-annually a sworn statement of all outstanding death and disability claims as provided in paragraph (c) of Rule 7. If examination of such statement shows the outstanding liability of the employer for unpaid compensation to equal or to approximate one-half of the amount of security previously given, and after considering all of the facts and circumstances the Commission finds that they are not reasonably certain that the employer's condition is such as to insure the payment of his outstanding liability, the employer shall be required to give additional security of the same character as required in Rule 2 and Rule 3 to equal in amount the present commuted value of all unpaid compensation in death claims and disability claims wherein the period of disability equals fifty-two weeks or more.

The Missouri Workmen's Compensation Commission also shall have the right at any time to require additional security in the event of a catastrophe or a change in conditions of the employer, either with respect to the financial condition of the employer, his outstanding liabilities for unpaid compensation, an increase in the payroll exposure, or otherwise.

Should the Commission at any time determine that the amount of security should be increased, due notice of such finding shall be given and reasonable opportunity afforded to comply with any added requirements.

Rule 5. When Security May be Reduced.—When the total amount of securities or cash held in escrow (exclusive of the initial deposit) shall exceed the outstanding liabilities for unpaid compensation in death claims and disability claims of fifty-two weeks or more duration, the employer may make application to the Missouri Workmen's Compensation Commission for the return of such excess securities or cash. The Missouri Workmen's Compensation Commission shall determine whether the return of such excess securities or cash is advisable. When a surety bond is filed, the principal amount may be reduced in like manner.

Rule 6. Withdrawal of Securities Held in Escrow.—When an employer ceases to be a self-insurer under the Missouri Workmen's Compensation Law, he may apply to the Missouri Workmen's Compensation Commission for the release of the securities or cash held in escrow. Such employer shall file a sworn statement of: (a) All of his outstanding liabilities for compensation; (b) all

pending claims for compensation; and (c) all accidents occurring in his establishment for a period of one year prior to the date of such application.

The Missouri Workmen's Compensation Commission shall have the right to require that all or any part of the securities or cash held in escrow be retained for a period of one year from the date the employer ceases to be a self-insurer, and after said one year period the Commission shall have the right to require that all or any part of the securities or cash held in escrow be retained, as deemed advisable by the Commission, pending final disposition of outstanding compensation claims; and the securities or cash shall be released only on written order of the Commission. (Amended November 4, 1941.)

Rule 7. Reports to be Filed.—Reports upon forms provided by the Missouri Workmen's Compensation Commission shall be filed by self-insurers, as follows:

(a) Itemized sworn statement of the employer's assets and liabilities shall be filed annually as of the close of the employer's fiscal year.

(b) A classified payroll report for the months of June and December of each year shall be filed as promptly as possible, but the Missouri Workmen's Compensation Commission shall have the right at any time to ask for and receive promptly a payroll report for any given month.

(c) A sworn statement of all outstanding death and disability claims as of December 31 and June 30 of each year, said reports to be filed within fifteen days after the aforesaid dates.

(d) A sworn statement of compensation payments (exclusive of medical expense) made by the employer for the first half year ending June 30 and the second half year ending December 31 of each year shall be filed within fifteen days of such dates. (Amended Sept. 9, 1942.)

Rule 8. Examination of Employer's Financial Condition.—The employer shall permit the Missouri Workmen's Compensation Commission, or its duly authorized representative, to make an examination of the employer's assets and liabilities and of his books of account for the purpose of verifying any financial statement submitted. The Commission may in its discretion accept the report of a certified public accountant as proper compliance with this rule.

Rule 9. Cost of Investigation.—In accordance with the provision of Section 3752, R. S. 1939, that "The Commission shall fix and collect from the employer the reasonable expense of any investigation necessary to determine his ability to carry his own insurance," the Commission has found, in its experience, that the reasonable minimum cost of making such investigation is \$25.00; wherefore each application for authority to become a self-insurer shall be accompanied by a remittance in the amount of \$25.00, payable to the Missouri Workmen's Compensation Commission,

to cover costs of such investigation. However, the actual reasonable cost of such investigation shall be charged when same is in excess of \$25.00. (Amended June 3, 1940.)

Rule 10. Forms to be Used.—Forms provided by the Missouri Workmen's Compensation Commission must be used in making all required reports.

Rule 11. Revocation of Self-Insurance Privilege.—The privilege of self-insurance may be revoked by the Missouri Workmen's Compensation Commission at any time upon reasonable notice and hearing and for good cause shown.

Failure to comply with any of the foregoing rules, or with an order or direction of the Missouri Workmen's Compensation Commission within the time prescribed therein, may be considered prima facie cause for revocation. Disregard of any of the provisions of the Missouri Workmen's Compensation Law as to the time and method of compensation payment, the furnishing of medical treatment, or the filing of all accident and compensation reports may also bring about such revocation.

Upon failure of a self-insurer to continuously maintain security, in the amount required by the Commission, the self-insurance privilege shall forthwith terminate without notice and hearing. (Amended September 30, 1940.)

Rule 12. When Rules May be Relaxed.—If an employer shows to the satisfaction of the Commission that he has been unable to secure insurance from an authorized carrier, or if an employer makes application to self-insure his medical liability only, the Commission may, if it deems advisable, relax the above said rules to meet the needs of the case.

Rule 13. May Self-Insure Part of Liability.—An employer complying with the foregoing rules may self-insure a particular division of his liability, that is, may carry without insurance his full liability for medical costs only, or occupational disease only, or all or any part of his liability under the Missouri Workmen's Compensation Law on all of his employees at some one location. He cannot self-insure all or one or more divisions of his liability in a limited or stated monetary amount. (Adopted November 9, 1939.)

PRESENT WORTH TABLE

(This table gives the present value of \$1.00 per week with compound interest at 4%. It is used to compute the commutable value of compensation for permanent partial disability, and the death benefit other than to the widow only. It is taken from pages 1327-29 of *The Law of Workmen's Compensation*, by William R. Schneider, by permission of the author.)

Weeks.	Present Worth.	Weeks.	Present Worth.
0.....		40.....	\$39.3877
1.....	\$00.9992	1.....	40.3572
2.....	1.9977	2.....	41.3261
3.....	2.9955	3.....	42.2942
4.....	3.9925	4.....	43.2615
5.....	4.9887	45.....	44.2281
6.....	5.9842	6.....	45.1940
7.....	6.9789	7.....	46.1592
8.....	7.9739	8.....	47.1237
9.....	8.9661	9.....	48.0874
10.....	9.9586	50.....	49.0504
1.....	10.9503	1.....	50.1027
2.....	11.9413	2.....	50.9742
3.....	12.9316	3.....	51.9350
4.....	13.9211	4.....	52.8951
15.....	14.9098	55.....	53.8545
6.....	15.8978	6.....	54.8131
7.....	16.8851	7.....	55.7711
8.....	17.8716	8.....	56.7283
9.....	18.8574	9.....	57.6847
20.....	19.8424	60.....	58.6405
1.....	20.8267	1.....	59.5955
2.....	21.8102	2.....	60.5499
3.....	22.7930	3.....	61.5035
4.....	23.7751	4.....	62.4563
25.....	24.7564	65.....	63.4085
6.....	25.7370	6.....	64.3599
7.....	26.7168	7.....	65.3107
8.....	27.6959	8.....	66.2607
9.....	28.6743	9.....	67.2100
30.....	29.6519	70.....	68.1585
1.....	30.6288	1.....	69.1064
2.....	31.6050	2.....	70.0536
3.....	32.5804	3.....	71.0000
4.....	33.5550	4.....	71.9457
35.....	34.5290	75.....	72.8907
6.....	35.5022	6.....	73.8350
7.....	36.4747	7.....	74.7786
8.....	37.4464	8.....	75.7215
9.....	38.4174	9.....	76.6636

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
80.....	\$77.6051	125.....	\$119.2434
1.....	78.5458	6.....	120.1527
2.....	79.4858	7.....	121.0614
3.....	80.4252	8.....	121.9694
4.....	81.3638	9.....	122.8766
85.....	82.3017	130.....	123.7832
6.....	83.2389	1.....	124.6892
7.....	84.1754	2.....	125.5944
8.....	85.1112	3.....	126.4989
9.....	86.0462	4.....	127.4028
90.....	86.9806	135.....	128.3060
1.....	87.9142	6.....	129.2085
2.....	88.8471	7.....	130.1103
3.....	89.7794	8.....	131.0115
4.....	90.7109	9.....	131.9119
95.....	91.6418	140.....	132.8117
6.....	92.5719	1.....	133.7108
7.....	93.5014	2.....	134.6092
8.....	94.4301	3.....	135.5070
9.....	95.3581	4.....	136.4041
100.....	96.2855	145.....	137.3005
1.....	97.2122	6.....	138.1962
2.....	98.1381	7.....	139.0913
3.....	99.0633	8.....	139.9856
4.....	99.9879	9.....	140.8794
105.....	100.9118	150.....	141.7724
6.....	101.8349	1.....	142.6648
7.....	102.7574	2.....	143.5564
8.....	103.6792	3.....	144.4474
9.....	104.6002	4.....	145.3378
110.....	105.5206	155.....	146.2274
1.....	106.4403	6.....	147.1164
2.....	107.3593	7.....	148.0048
3.....	108.2776	8.....	148.8924
4.....	109.1952	9.....	149.7794
115.....	110.1122	160.....	150.6657
6.....	111.0284	1.....	151.5514
7.....	111.9439	2.....	152.4363
8.....	112.8588	3.....	153.3207
9.....	113.7729	4.....	154.2043
120.....	114.6864	165.....	155.0873
1.....	115.5992	6.....	155.9696
2.....	116.5112	7.....	156.8512
3.....	117.4226	8.....	157.7322
4.....	118.3334	9.....	158.6126

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
170.....	\$159.4922	215.....	\$198.3980
1.....	160.3712	6.....	199.2476
2.....	161.2495	7.....	200.0966
3.....	162.1272	8.....	200.9450
4.....	163.0042	9.....	201.7928
175.....	163.8806	220.....	202.6398
6.....	164.7563	1.....	203.4863
7.....	165.6313	2.....	204.3321
8.....	166.5057	3.....	205.1773
9.....	167.3794	4.....	206.0219
180.....	168.2524	225.....	206.8658
1.....	169.1248	6.....	207.7090
2.....	169.9966	7.....	208.5517
3.....	170.8676	8.....	209.3937
4.....	171.7380	9.....	210.2351
185.....	172.6078	230.....	211.0758
6.....	173.4769	1.....	211.9159
7.....	174.3454	2.....	212.7554
8.....	175.2132	3.....	213.5942
9.....	176.0803	4.....	214.4324
190.....	176.9468	235.....	215.2700
1.....	177.8126	6.....	216.1069
2.....	178.6778	7.....	216.9432
3.....	179.5424	8.....	217.7789
4.....	180.4063	9.....	218.6139
195.....	181.2695	240.....	219.4484
6.....	182.1321	1.....	220.2821
7.....	182.9940	2.....	221.1158
8.....	183.8553	3.....	221.9478
9.....	184.7159	4.....	222.7797
200.....	185.5758	245.....	223.6110
1.....	186.4352	6.....	224.4417
2.....	187.2938	7.....	225.2717
3.....	188.1519	8.....	226.1011
4.....	189.0093	9.....	226.9299
205.....	189.8660	250.....	227.7580
6.....	190.7221	1.....	228.5856
7.....	191.5775	2.....	229.4125
8.....	192.4323	3.....	230.2387
9.....	193.2865	4.....	231.0644
210.....	194.1400	255.....	231.8894
1.....	194.9929	6.....	232.7139
2.....	195.8451	7.....	233.5377
3.....	196.6967	8.....	234.3608
4.....	197.5476	9.....	235.1834

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
260.....	\$236.0053	305.....	\$272.3578
1.....	236.8266	6.....	273.1516
2.....	237.6473	7.....	273.9449
3.....	238.4674	8.....	274.7376
4.....	239.2868	9.....	275.5297
265.....	240.1056	310.....	276.3212
6.....	240.9238	1.....	277.1121
7.....	241.7414	2.....	277.9024
8.....	242.5584	3.....	278.6921
9.....	243.3748	4.....	279.4812
270.....	244.1905	315.....	280.2698
1.....	245.0056	6.....	281.0577
2.....	245.8202	7.....	281.8450
3.....	246.6341	8.....	282.6317
4.....	247.4474	9.....	283.4179
275.....	248.2600	320.....	284.2034
6.....	249.0721	1.....	284.9884
7.....	249.8836	2.....	285.7727
8.....	250.6944	3.....	286.5565
9.....	251.5047	4.....	287.3397
280.....	252.3143	325.....	288.1223
1.....	253.1233	6.....	288.9043
2.....	253.9317	7.....	289.6857
3.....	254.7395	8.....	290.4666
4.....	255.5467	9.....	291.2468
285.....	256.3533	330.....	292.0265
6.....	257.1593	1.....	292.8055
7.....	257.9647	2.....	293.5840
8.....	258.7694	3.....	294.3619
9.....	259.5736	4.....	295.1392
290.....	260.3771	335.....	295.9160
1.....	261.1801	6.....	296.6921
2.....	261.9824	7.....	297.4677
3.....	262.7841	8.....	298.2426
4.....	263.5853	9.....	299.1070
295.....	264.3858	340.....	299.7908
6.....	265.1857	1.....	300.5641
7.....	265.9850	2.....	301.3367
8.....	266.7837	3.....	302.1088
9.....	267.5818	4.....	302.8802
300.....	268.3793	345.....	303.6511
1.....	269.1762	6.....	304.4214
2.....	269.9725	7.....	305.1912
3.....	270.7682	8.....	305.9603
4.....	271.5633	9.....	306.7289

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
350.	\$307.4969	395.	\$341.4635
1.	308.2643	6.	342.2053
2.	309.0311	7.	342.9466
3.	309.7974	8.	343.6872
4.	310.5630	9.	344.4274
355.	311.3281	400.	345.1669
6.	312.0926	1.	345.9059
7.	312.8566	2.	346.6444
8.	313.6200	3.	347.3823
9.	314.3827	4.	348.1106
360.	315.1450	405.	348.8564
1.	315.9066	6.	349.5926
2.	316.6677	7.	350.3282
3.	317.4282	8.	351.0633
4.	318.1881	9.	351.7979
365.	318.9474	410.	352.5319
6.	319.7062	1.	353.2653
7.	320.4644	2.	353.9982
8.	321.2220	3.	354.7306
9.	321.9791	4.	355.4624
370.	322.7356	415.	356.1936
1.	323.4915	6.	356.9243
2.	324.2468	7.	357.6544
3.	325.0016	8.	358.3840
4.	325.7558	9.	359.1131
375.	326.5094	420.	359.8416
6.	327.2625	1.	360.5695
7.	328.0150	2.	361.2969
8.	328.7669	3.	362.0237
9.	329.5183	4.	362.7500
380.	330.2691	425.	363.4758
1.	331.0194	6.	364.2010
2.	331.7690	7.	364.9256
3.	332.5181	8.	365.6497
4.	333.2667	9.	366.3733
385.	334.0147	430.	367.0963
6.	334.7621	1.	367.8188
7.	335.5089	2.	368.5407
8.	336.2552	3.	369.2621
9.	337.0010	4.	369.9829
390.	337.7461	435.	370.7032
1.	338.4907	6.	371.4230
2.	339.2348	7.	372.1422
3.	339.9782	8.	372.8608
4.	340.7212	9.	373.5790

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
440.	\$374.2966	485.	\$406.0339
1.	375.0136	6.	406.7270
2.	375.7301	7.	406.4196
3.	376.4461	8.	408.1117
4.	377.1615	9.	408.8032
445.	377.8764	490.	409.4943
6.	378.5907	1.	410.1848
7.	379.3045	2.	410.8747
8.	380.1078	3.	411.5642
9.	380.7305	4.	412.2531
450.	381.4427	495.	412.9416
1.	382.1543	6.	413.6295
2.	382.8654	7.	414.3169
3.	383.5760	8.	415.0037
4.	384.2860	9.	415.6901
455.	384.9958	500.	416.3759
6.	385.7045	1.	417.0612
7.	386.4130	2.	417.7460
8.	387.1209	3.	418.4303
9.	387.8282	4.	419.1141
460.	388.5351	505.	419.7973
1.	389.2414	6.	420.4801
2.	389.9472	7.	421.1623
3.	390.6524	8.	421.8440
4.	391.3571	9.	422.5252
465.	392.0613	510.	423.2059
6.	392.7650	1.	423.8860
7.	393.4681	2.	424.5657
8.	394.1707	3.	425.2448
9.	394.8727	4.	425.9234
470.	395.5742	515.	426.6016
1.	396.2752	6.	427.2792
2.	396.9757	7.	427.9562
3.	397.6757	8.	428.6328
4.	398.3751	9.	429.3089
475.	399.0740	520.	429.9845
6.	399.7723	1.	430.6606
7.	400.4702	2.	431.3351
8.	401.1675	3.	432.0091
9.	401.8642	4.	432.6826
480.	402.5605	525.	433.3556
1.	403.2562	6.	434.0281
2.	403.9514	7.	434.7001
3.	404.6461	8.	435.3716
4.	405.3403	9.	436.0426

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
530.....	\$436.7131	575.....	\$466.3676
1.....	437.3831	6.....	467.0152
2.....	438.0526	7.....	467.6623
3.....	438.7216	8.....	468.3089
4.....	439.3901	9.....	468.9551
535.....	440.0581	580.....	469.6008
6.....	440.7256	1.....	470.2460
7.....	441.3926	2.....	470.8907
8.....	442.0591	3.....	471.5349
9.....	442.7251	4.....	472.1786
540.....	443.3905	585.....	472.8218
1.....	444.0554	6.....	473.4646
2.....	444.7198	7.....	474.1069
3.....	445.3837	8.....	474.7487
4.....	446.0471	9.....	475.3900
545.....	446.7100	590.....	476.0308
6.....	447.3724	1.....	476.6711
7.....	448.0343	2.....	477.3110
8.....	448.6957	3.....	477.9504
9.....	449.3566	4.....	478.5893
550.....	450.0170	595.....	479.2277
1.....	450.6769	6.....	479.8656
2.....	451.3364	7.....	480.5030
3.....	451.9954	8.....	481.1400
4.....	452.6539	9.....	481.7765
555.....	453.3119	600.....	482.4125
6.....	453.9694	1.....	483.0480
7.....	454.6264	2.....	483.6830
8.....	455.2829	3.....	484.3176
9.....	455.9389	4.....	484.9517
560.....	456.5944	605.....	485.5853
1.....	457.2494	6.....	486.2184
2.....	457.9039	7.....	486.8511
3.....	458.5579	8.....	487.4833
4.....	459.2114	9.....	488.1150
565.....	459.8644	610.....	488.7462
6.....	460.5169	1.....	489.3769
7.....	461.1689	2.....	490.0072
8.....	461.8204	3.....	490.6370
9.....	462.4715	4.....	491.2663
570.....	463.1221	615.....	491.8951
1.....	463.7722	6.....	492.5235
2.....	464.4218	7.....	493.1514
3.....	465.0709	8.....	493.7788
4.....	465.7195	9.....	494.4058

PRESENT WORTH TABLE—Continued.

Weeks.	Present Worth.	Weeks.	Present Worth.
620.....	\$495.0323	660.....	\$519.7080
1.....	495.6583	1.....	520.3154
2.....	496.2838	2.....	520.9223
3.....	496.9089	3.....	521.5288
4.....	497.5335	4.....	522.1348
625.....	498.1576	665.....	522.7404
6.....	498.7813	6.....	523.3455
7.....	499.4045	7.....	523.9502
8.....	500.0272	8.....	524.5544
9.....	500.6494	9.....	525.1581
630.....	501.2712	670.....	525.7614
1.....	501.8925	1.....	526.3642
2.....	502.5133	2.....	526.9666
3.....	503.1337	3.....	527.5685
4.....	503.7536	4.....	528.1700
635.....	504.3730	675.....	528.7710
6.....	504.9920	6.....	529.3716
7.....	505.6105	7.....	529.9717
8.....	506.2285	8.....	530.5714
9.....	506.8461	9.....	531.1706
640.....	507.4632	680.....	531.7694
1.....	508.0798	1.....	532.3677
2.....	508.6960	2.....	532.9656
3.....	509.3117	3.....	533.5630
4.....	509.9269	4.....	534.1600
645.....	510.5417	685.....	534.7565
6.....	511.1560	6.....	535.3526
7.....	511.7699	7.....	535.9482
8.....	512.3833	8.....	536.5434
9.....	512.9962	9.....	537.1381
650.....	513.6087	690.....	537.7324
1.....	514.2207	1.....	538.3262
2.....	514.8322	2.....	538.9196
3.....	515.4433	3.....	539.5125
4.....	516.0539		
655.....	516.6641		
6.....	517.2738		
7.....	517.8830		
8.....	518.4918		
9.....	519.1001		

PRESENT VALUE TABLE FOR WIDOWS.

(This table gives the annual present value of one dollar per week payable weekly, to the end of the period until remarriage or death, the first payment immediate, compiled from the Danish Annuitants and Dutch Remarriage Tables with interest at four per cent, by THEODORE STALZER, formerly assistant actuary of the Missouri Insurance Department.)

Age.	1	2	3	4	5	6	7	8	9	10	11	12	13
15.....	\$47.84	\$88.45	\$122.72	\$151.80	\$176.51	\$197.59	\$215.60	\$231.05	\$244.35	\$255.83	\$265.79	\$274.46	\$282.05
16.....	47.99	88.60	123.04	152.33	177.29	198.64	216.94	232.69	246.27	258.10	268.37	277.36	285.26
17.....	48.03	88.77	123.40	152.93	178.17	199.82	218.45	234.54	248.57	260.64	271.27	280.61	288.85
18.....	48.08	88.96	123.80	153.60	179.15	201.14	220.13	236.00	250.93	263.47	274.50	284.23	292.85
19.....	48.13	89.17	124.17	154.25	180.22	202.58	221.98	238.86	253.63	266.61	278.06	288.23	297.28
20.....	48.72	89.40	124.74	155.13	181.42	204.19	224.03	241.26	256.39	269.84	281.78	292.42	301.95
21.....	48.44	89.83	125.28	156.04	182.72	206.05	226.36	244.22	259.98	273.96	286.42	297.59	307.63
22.....	48.34	89.93	125.86	157.02	184.15	207.88	228.73	247.13	263.46	278.01	291.04	302.78	313.39
23.....	48.42	90.24	126.51	158.08	185.70	209.64	230.73	249.81	266.68	281.85	295.51	307.86	319.09
24.....	48.50	90.56	127.19	159.22	187.37	212.21	234.25	253.90	271.50	287.33	301.66	314.68	326.56
25.....	48.59	90.91	127.92	160.44	189.15	214.61	237.31	257.64	275.94	292.49	307.53	321.26	333.84
26.....	48.69	91.28	128.70	161.73	191.01	217.15	240.55	261.62	280.65	297.98	313.75	328.22	341.55
27.....	48.79	91.71	129.52	163.08	193.00	219.81	243.91	265.76	285.58	303.68	320.26	335.53	349.62
28.....	48.90	92.07	130.36	164.49	195.07	222.60	247.48	270.09	290.73	309.65	327.08	343.13	358.03
29.....	49.01	92.45	131.24	165.95	197.19	225.46	251.13	274.56	296.04	315.80	334.05	350.96	366.69
30.....	49.12	92.91	132.14	167.44	199.37	228.38	254.86	279.12	301.45	322.07	341.18	358.95	375.53
31.....	49.24	93.34	133.04	168.94	201.56	231.33	258.26	283.02	306.21	327.70	347.68	366.31	383.73
32.....	49.35	93.77	133.94	170.44	203.75	234.28	262.37	288.32	312.36	334.72	355.57	375.01	393.33
33.....	49.46	94.19	134.84	171.93	205.93	237.21	266.20	292.98	317.77	340.98	362.68	383.02	402.11
34.....	49.57	94.61	135.72	173.39	208.06	240.07	269.74	297.33	323.05	347.10	369.63	390.79	410.70
35.....	49.68	95.02	136.57	174.80	210.12	242.84	273.28	301.64	328.17	353.02	376.35	398.30	410.98

36.....	49.78	95.40	137.39	176.16	212.10	245.51	276.66	305.79	333.08	358.70	382.79	405.50	426.92
37.....	49.88	95.78	138.17	177.46	213.99	247.58	279.89	309.72	337.73	364.08	388.90	412.37	434.42
38.....	49.97	96.13	138.90	178.67	215.76	250.42	282.90	313.40	342.08	369.11	394.59	418.66	441.41
39.....	50.06	96.45	139.58	179.81	217.40	252.63	285.70	316.81	346.11	373.76	399.85	424.53	447.86
40.....	50.14	96.75	140.22	180.85	218.92	254.67	288.29	319.97	349.84	378.05	404.71	429.92	453.78
41.....	50.21	97.01	140.77	181.80	220.31	256.52	290.64	322.81	353.20	381.91	409.06	434.76	459.08
42.....	50.28	97.25	141.32	182.66	221.55	258.19	292.74	325.37	356.21	385.36	412.95	439.07	463.78
43.....	50.34	97.50	141.78	183.44	222.67	259.68	294.62	327.61	358.88	388.43	416.39	442.86	467.91
44.....	50.39	97.70	142.20	184.12	223.66	260.99	296.28	329.65	361.22	391.08	419.35	446.11	471.43
45.....	50.43	97.87	142.56	184.71	224.50	262.12	297.68	331.33	363.18	393.32	421.84	448.83	474.35
46.....	50.48	98.02	142.87	185.22	225.24	263.09	298.90	332.78	364.85	395.20	423.91	451.07	476.74
47.....	50.51	98.15	143.14	185.65	225.86	263.89	299.89	333.95	366.19	396.70	425.54	452.80	478.55
48.....	50.54	98.26	143.36	186.01	226.36	264.54	300.68	334.88	367.23	397.83	426.75	454.06	479.83
49.....	50.55	98.34	143.53	186.28	226.74	265.02	301.26	335.54	367.95	398.59	427.53	454.83	480.56
50.....	50.58	98.42	143.67	186.50	227.03	265.39	301.70	335.99	368.43	399.06	427.95	455.18	480.81
51.....	50.59	98.46	143.76	186.63	227.20	265.58	301.88	336.19	368.58	399.15	427.90	455.05	480.52
52.....	50.60	98.49	143.81	186.70	227.28	265.65	301.92	336.16	368.47	398.92	427.52	454.44	479.75
53.....	50.61	98.50	143.83	186.72	227.27	265.59	301.79	335.93	368.11	398.39	426.83	453.52	478.48
54.....	50.60	98.49	143.80	186.64	227.14	265.40	301.45	335.40	367.44	397.49	425.68	452.09	476.69
55.....	50.60	98.48	143.75	186.54	226.95	265.07	300.99	334.80	366.56	396.35	424.22	450.24	474.48
56.....	50.59	98.44	143.65	186.36	226.64	264.60	300.32	333.88	365.36	394.80	422.30	447.92	471.70
57.....	50.58	98.38	143.52	186.11	226.24	264.00	299.48	332.76	363.90	392.96	420.04	445.18	468.46
58.....	50.56	98.32	143.37	185.82	225.76	263.30	298.50	331.43	362.18	390.81	417.41	442.03	464.73
59.....	50.54	98.23	143.16	185.45	225.17	262.43	297.29	329.83	360.15	388.29	414.35	438.38	460.45
60.....	50.52	98.11	142.90	184.99	224.46	261.39	295.86	327.97	357.79	385.39	410.84	434.22	455.60
61.....	50.48	97.99	142.63	184.49	223.65	260.22	294.28	325.90	355.69	382.17	406.95	429.63	450.26
62.....	50.45	97.84	142.29	183.88	222.71	258.87	292.46	323.54	352.20	378.53	402.60	424.50	444.30
63.....	50.41	97.68	141.92	183.22	221.68	257.40	290.46	320.94	348.94	374.54	397.83	418.90	437.85
64.....	50.36	97.47	141.47	182.44	220.48	255.69	288.17	318.00	345.26	370.07	392.51	412.69	430.71
65.....	50.30	97.25	141.03	181.64	219.18	253.85	285.69	314.79	341.27	365.22	386.76	405.94	423.03

PRESENT VALUE TABLE FOR WIDOWS—Continued.

Age.	1	2	3	4	5	6	7	8	9	10	11	12	13
66.....	\$50.20	\$96.95	\$140.41	\$180.66	\$218.66	\$251.61	\$282.56	\$310.80	\$336.74	\$359.65	\$380.11	\$398.67	\$414.56
67.....	50.00	96.37	139.29	178.80	215.92	247.89	277.87	304.97	329.56	351.24	370.43	387.65	402.40
68.....	49.78	95.73	138.03	176.77	213.05	243.91	272.75	298.66	322.08	342.40	360.32	376.28	389.78
69.....	49.54	95.04	136.67	174.58	209.79	239.67	267.34	292.00	314.07	333.18	349.80	364.48	376.76
70.....	49.29	94.30	135.22	172.24	206.41	235.18	261.64	285.02	305.78	323.58	338.90	352.29	363.36
71.....	49.00	93.46	133.64	169.76	202.81	230.46	255.67	277.76	297.17	313.65	327.65	339.76	349.64
72.....	48.69	92.60	132.00	167.15	199.11	225.53	249.45	270.20	288.24	303.35	316.05	326.90	335.73
73.....	48.38	91.69	130.25	164.39	195.28	220.37	242.94	262.31	278.95	292.69	304.10	313.74	321.38
74.....	48.04	90.73	128.41	161.49	191.05	214.94	236.11	254.04	269.25	281.64	291.76	300.23	306.81
75.....	47.66	89.66	126.44	158.48	186.65	209.15	228.63	245.33	259.20	270.14	279.12	286.34	291.92

**VALUE OF \$1 PER WEEK WITH INTEREST AT 6%
OF COMPENSATION PAST DUE.**

(See Section 3702b, R. S. Missouri 1939)

Compiled by Virgil Rule, Assistant Actuary, Missouri State Insurance Department

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
0.....		40.....	\$40.9329
1.....	\$1.0011	1.....	41.9799
2.....	2.0033	2.....	43.0281
3.....	3.0067	3.....	44.0774
4.....	4.0112	4.....	45.1280
5.....	5.0168	45.....	46.1797
6.....	6.0235	6.....	47.2326
7.....	7.0314	7.....	48.2867
8.....	8.0404	8.....	49.3419
9.....	9.0506	9.....	50.3984
10.....	10.0618	50.....	51.4560
1.....	11.0742	1.....	52.5148
2.....	12.0878	2.....	53.5748
3.....	13.1024	3.....	54.6360
4.....	14.1183	4.....	55.6984
15.....	15.1352	55.....	56.7619
6.....	16.1533	6.....	57.8267
7.....	17.1725	7.....	58.8927
8.....	18.1929	8.....	59.9598
9.....	19.2144	9.....	61.0282
20.....	20.2371	60.....	62.0977
1.....	21.2609	1.....	63.1684
2.....	22.2859	2.....	64.2404
3.....	23.3120	3.....	65.3135
4.....	24.3392	4.....	66.3879
25.....	25.3676	65.....	67.4634
6.....	26.3972	6.....	68.5402
7.....	27.4279	7.....	69.6182
8.....	28.4598	8.....	70.6973
9.....	29.4928	9.....	71.7777
30.....	30.5270	70.....	72.8593
1.....	31.5623	1.....	73.9421
2.....	32.5989	2.....	75.0262
3.....	33.6365	3.....	76.1114
4.....	34.6754	4.....	77.1979
35.....	35.7154	75.....	78.2855
6.....	36.7565	6.....	79.3744
7.....	37.7989	7.....	80.4645
8.....	38.8424	8.....	81.5559
9.....	39.8870	9.....	82.6484

PRESENT ACCUMULATION TABLE—Continued.

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
80.....	\$83.7422	125.....	\$134.2530
1.....	84.8372	6.....	135.4047
2.....	85.9335	7.....	136.5576
3.....	87.0309	8.....	137.7118
4.....	88.1296	9.....	138.8674
85.....	89.2296	130.....	140.0242
6.....	90.3307	1.....	141.1823
7.....	91.4331	2.....	142.3417
8.....	92.5368	3.....	143.5024
9.....	93.6416	4.....	144.6644
90.....	94.7478	135.....	145.8277
1.....	95.8551	6.....	146.9924
2.....	96.9637	7.....	148.1583
3.....	98.0735	8.....	149.3255
4.....	99.1846	9.....	150.4941
95.....	100.2969	140.....	151.6639
6.....	101.4105	1.....	152.8351
7.....	102.5253	2.....	154.0076
8.....	103.6414	3.....	155.1813
9.....	104.7587	4.....	156.3565
100.....	105.8773	145.....	157.5329
1.....	106.9971	6.....	158.7106
2.....	108.1182	7.....	159.8897
3.....	109.2406	8.....	161.0701
4.....	110.3642	9.....	162.2518
105.....	111.4890	150.....	163.4348
6.....	112.6151	1.....	164.6192
7.....	113.7425	2.....	165.8049
8.....	114.8712	3.....	166.9919
9.....	116.0011	4.....	168.1802
110.....	117.1323	155.....	169.3699
1.....	118.2647	6.....	170.5609
2.....	119.3984	7.....	171.7533
3.....	120.5334	8.....	172.9469
4.....	121.6697	9.....	174.1420
115.....	122.8072	160.....	175.3383
6.....	123.9460	1.....	176.5360
7.....	125.0861	2.....	177.7350
8.....	126.2275	3.....	178.9354
9.....	127.3701	4.....	180.1371
120.....	128.5140	165.....	181.3402
1.....	129.6593	6.....	182.5446
2.....	130.8058	7.....	183.7504
3.....	131.9536	8.....	184.9575
4.....	133.1027	9.....	186.1660

PRESENT ACCUMULATION TABLE—Continued.

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
170.....	\$187.3758	215.....	\$243.2452
1.....	188.5870	6.....	244.5190
2.....	189.7996	7.....	245.7942
3.....	191.0135	8.....	247.0708
4.....	192.2287	9.....	248.3488
175.....	193.4454	220.....	249.6283
6.....	194.6634	1.....	250.9092
7.....	195.8827	2.....	252.1916
8.....	197.1034	3.....	253.4754
9.....	198.3255	4.....	254.7606
180.....	199.5490	225.....	256.0473
1.....	200.7738	6.....	257.3354
2.....	202.0001	7.....	258.6250
3.....	203.2277	8.....	259.9160
4.....	204.4567	9.....	261.2085
185.....	205.6870	230.....	262.5024
6.....	206.9187	1.....	263.7977
7.....	208.1518	2.....	265.0946
8.....	209.3863	3.....	266.3928
9.....	210.6222	4.....	267.6925
190.....	211.8594	235.....	268.9937
1.....	213.0981	6.....	270.2964
2.....	214.3381	7.....	271.6004
3.....	215.5795	8.....	272.9060
4.....	216.8223	9.....	274.2130
195.....	218.0665	240.....	275.5215
6.....	219.3121	1.....	276.8315
7.....	220.5591	2.....	278.1429
8.....	221.8075	3.....	279.4558
9.....	223.0573	4.....	280.7702
200.....	224.3085	245.....	282.0860
1.....	225.5611	6.....	283.4033
2.....	226.8151	7.....	284.7221
3.....	228.0705	8.....	286.0424
4.....	229.3273	9.....	287.3641
205.....	230.5855	250.....	288.6874
6.....	231.8452	1.....	290.0121
7.....	233.1062	2.....	291.3383
8.....	234.3687	3.....	292.6660
9.....	235.6325	4.....	293.9951
210.....	236.8977	255.....	295.3258
1.....	238.1644	6.....	296.6580
2.....	239.4324	7.....	297.9916
3.....	240.7019	8.....	299.3268
4.....	241.9728	9.....	300.6634

PRESENT ACCUMULATION TABLE—Continued.

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
260.....	\$302.0016	305.....	\$363.7993
1.....	303.3413	6.....	365.2083
2.....	304.6825	7.....	366.6188
3.....	306.0252	8.....	368.0310
4.....	307.3694	9.....	369.4447
265.....	308.7151	310.....	370.8600
6.....	310.0623	1.....	372.2769
7.....	311.4111	2.....	373.6954
8.....	312.7613	3.....	375.1155
9.....	314.1131	4.....	376.5372
270.....	315.4664	315.....	377.9605
1.....	316.8212	6.....	379.3853
2.....	318.1775	7.....	380.8118
3.....	319.5351	8.....	382.2399
4.....	320.8947	9.....	383.6696
275.....	322.2555	320.....	385.1008
6.....	323.6180	1.....	386.5337
7.....	324.9819	2.....	387.9682
8.....	326.3474	3.....	389.4043
9.....	327.7144	4.....	390.8420
280.....	329.0829	325.....	392.2813
1.....	330.4529	6.....	393.7222
2.....	331.8245	7.....	395.1648
3.....	333.1977	8.....	396.6089
4.....	334.5724	9.....	398.0547
285.....	335.9486	330.....	399.5021
6.....	337.3263	1.....	400.9511
7.....	338.7056	2.....	402.4018
8.....	340.0865	3.....	403.8541
9.....	341.4689	4.....	405.3080
290.....	342.8528	335.....	406.7635
1.....	344.2384	6.....	408.2207
2.....	345.6254	7.....	409.6795
3.....	347.0140	8.....	411.1399
4.....	348.4042	9.....	412.6020
295.....	349.7959	340.....	414.0657
6.....	351.1892	1.....	415.5310
7.....	352.5840	2.....	416.9980
8.....	353.9805	3.....	418.4667
9.....	355.3784	4.....	419.9370
300.....	356.7780	345.....	421.4089
1.....	358.1791	6.....	422.8825
2.....	359.5818	7.....	424.3577
3.....	360.9860	8.....	425.8346
4.....	362.3919	9.....	427.3132

PRESENT ACCUMULATION TABLE—Continued.

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
350.....	\$428.7934	395.....	\$497.1486
1.....	430.2752	6.....	498.7071
2.....	431.7588	7.....	500.2673
3.....	433.2439	8.....	501.8293
4.....	434.7308	9.....	503.3930
355.....	436.2193	400.....	504.9585
6.....	437.7095	1.....	506.5258
7.....	439.2014	2.....	508.0948
8.....	440.6949	3.....	509.6655
9.....	442.1901	4.....	511.2381
360.....	443.6870	405.....	512.8124
1.....	445.1856	6.....	514.3884
2.....	446.6858	7.....	515.9662
3.....	448.1877	8.....	517.5458
4.....	449.6913	9.....	519.1272
365.....	451.1966	410.....	520.7103
6.....	452.7036	1.....	522.2952
7.....	454.2123	2.....	523.8819
8.....	455.7226	3.....	525.4704
9.....	457.2347	4.....	527.0606
370.....	458.7484	415.....	528.6527
1.....	460.2639	6.....	530.2465
2.....	461.7810	7.....	531.8421
3.....	463.2998	8.....	533.4395
4.....	464.8204	9.....	535.0386
375.....	466.3426	420.....	536.6396
6.....	467.8666	1.....	538.2423
7.....	469.3922	2.....	539.8469
8.....	470.9196	3.....	541.4532
9.....	472.4487	4.....	543.0614
380.....	473.9795	425.....	544.6714
1.....	475.5120	6.....	546.2831
2.....	477.0463	7.....	547.8967
3.....	478.5822	8.....	549.5121
4.....	480.1199	9.....	551.1292
385.....	481.6593	430.....	552.7482
6.....	483.2004	1.....	554.3691
7.....	484.7433	2.....	555.9917
8.....	486.2879	3.....	557.6161
9.....	487.8342	4.....	559.2424
390.....	489.3822	435.....	560.8705
1.....	490.9320	6.....	562.5004
2.....	492.4835	7.....	564.1322
3.....	494.0368	8.....	565.7658
4.....	495.5918	9.....	567.4012

PRESENT ACCUMULATION TABLE—Continued.

Weeks.	Present Accumulation.	Weeks.	Present Accumulation.
440	\$569.0384	480	\$636.0553
1	570.6775	1	637.7694
2	572.3184	2	639.4856
3	573.9612	3	641.2036
4	575.6058	4	642.9236
445	577.2522	485	644.6455
5	578.9005	6	646.3693
7	580.5506	7	648.0950
8	582.2026	8	649.8227
9	583.8565	9	651.5523
450	585.5122	490	653.2839
1	587.1697	1	655.0174
2	588.8291	2	656.7529
3	590.4904	3	658.4903
4	592.1535	4	660.2296
455	593.8185	495	661.9709
6	595.4854	6	663.7141
7	597.1541	7	665.4593
8	598.8247	8	667.2065
9	600.4972	9	668.9556
460	602.1715	500	670.7067
1	603.8479	1	672.4597
2	605.5259	2	674.2147
3	607.2059	3	675.9717
4	608.8877	4	677.7307
465	610.5715	505	679.4916
6	612.2571	6	681.2545
7	613.9447	7	683.0193
8	615.6341	8	684.7862
9	617.3254	9	686.5550
470	619.0186	510	688.3258
1	620.7137	1	690.0986
2	622.4107	2	691.8734
3	624.1096	3	693.6502
4	625.8104	4	695.4289
475	627.5131	515	697.2097
6	629.2177	6	698.9924
7	630.9242	7	700.7772
8	632.6326	8	702.5639
9	634.3430	9	704.3527
		520	706.1435

AMERICAN TABLE OF MORTALITY.

With Death Rate per 1,000 and "Expectation of Life"

(The "expectation of life" is the average number of years which a large number of persons of any given age have yet to live; that is, the sum of the years which all will live divided by the number of persons).

Age.	Number living.	Deaths each year.	Death rate per 1,000.	Expectation of life.
10.....	100,000	749	7.49	48.72
11.....	99,251	746	7.52	48.08
12.....	98,505	743	7.54	47.45
13.....	97,762	740	7.57	46.80
14.....	97,022	737	7.60	46.16
15.....	96,285	735	7.63	45.50
16.....	95,550	732	7.66	44.85
17.....	94,818	729	7.69	44.19
18.....	94,089	727	7.73	43.53
19.....	93,362	725	7.76	42.87
20.....	92,637	723	7.80	42.20
21.....	91,914	722	7.85	41.53
22.....	91,192	721	7.91	40.85
23.....	90,471	720	7.96	40.17
24.....	89,751	719	8.01	39.49
25.....	89,032	718	8.06	38.81
26.....	88,314	718	8.13	38.12
27.....	87,596	718	8.20	37.43
28.....	86,878	718	8.26	36.73
29.....	86,160	719	8.34	36.03
30.....	85,441	720	8.43	35.33
31.....	84,721	721	8.51	34.63
32.....	84,000	723	8.61	33.92
33.....	83,277	726	8.72	33.21
34.....	82,551	729	8.83	32.50
35.....	81,822	732	8.95	31.78
36.....	81,090	737	9.09	31.07
37.....	80,353	742	9.23	30.35
38.....	79,611	749	9.41	29.62
39.....	78,862	756	9.59	28.90
40.....	78,106	765	9.79	28.18
41.....	77,341	774	10.01	27.45
42.....	76,567	785	10.25	26.72
43.....	75,782	797	10.52	26.00
44.....	74,985	812	10.83	25.27
45.....	74,173	828	11.16	24.54
46.....	73,345	848	11.56	23.81
47.....	72,497	870	12.00	23.08
48.....	71,627	896	12.51	22.36
49.....	70,731	927	13.11	21.63
50.....	69,804	962	13.78	20.91
51.....	68,842	1,001	14.54	20.20
52.....	67,841	1,044	15.39	19.49
53.....	66,797	1,091	16.33	18.79
54.....	65,706	1,143	17.40	18.09

AMERICAN TABLE OF MORTALITY—Continued.

With Death Rate per 1,000 and "Expectation of Life"

Age.	Number living.	Deaths each year.	Death rate per 1,000.	Expecta- tion of life.
55.....	64,563	1,199	18.57	17.40
56.....	63,364	1,260	19.88	16.72
57.....	62,104	1,325	21.33	16.05
58.....	60,779	1,394	22.94	15.39
59.....	59,385	1,468	24.72	14.74
60.....	57,917	1,546	26.69	14.10
61.....	56,371	1,628	28.88	13.47
62.....	54,743	1,713	31.29	12.86
63.....	53,030	1,800	33.94	12.26
64.....	51,230	1,889	36.87	11.67
65.....	49,341	1,980	40.13	11.10
66.....	47,361	2,070	43.71	10.54
67.....	45,291	2,158	47.65	10.00
68.....	43,133	2,243	52.00	9.47
69.....	40,890	2,321	56.76	8.97
70.....	38,569	2,391	61.99	8.48
71.....	36,178	2,448	67.66	8.00
72.....	33,730	2,487	73.73	7.55
73.....	31,243	2,505	80.18	7.11
74.....	28,738	2,501	87.03	6.68
75.....	26,237	2,476	94.37	6.27
76.....	23,761	2,431	102.31	5.88
77.....	21,330	2,369	111.06	5.49
78.....	18,961	2,291	120.83	5.11
79.....	16,670	2,196	131.73	4.74
80.....	14,474	2,091	144.47	4.39
81.....	12,383	1,964	158.60	4.05
82.....	10,419	1,816	174.30	3.71
83.....	8,603	1,648	191.56	3.39
84.....	6,955	1,470	211.36	3.08
85.....	5,485	1,292	235.55	2.77
86.....	4,193	1,114	265.68	2.47
87.....	3,079	933	303.02	2.18
88.....	2,146	744	346.69	1.91
89.....	1,402	555	395.86	1.66
90.....	847	385	454.54	1.42
91.....	462	246	532.47	1.19
92.....	216	137	634.26	.98
93.....	79	58	734.18	.80
94.....	21	18	857.14	.64
95.....	3	3	1,000.00	.50

